

**From:** McCabe, Janet

**Location:** WJC-N 5400 + Video with RTP + 1-866-299-3188; Participant Code:

Ex. 6 - Personal Privacy

**Importance:** Normal

**Subject:** Meet with PacifiCorp, a Berkshire Hathaway Energy subsidiary re: Arizona and Utah Regional Haze (Confirmed)

**Categories:** EZ Record - Private

**Start Date/Time:** Fri 5/20/2016 5:00:00 PM

**End Date/Time:** Fri 5/20/2016 6:00:00 PM

RE: Meeting Request on Regional Haze

Confirmed 5/20 at 1pm: RE: Meeting Request on Regional Haze

FW: RE: Confirmed 5/20 at 1pm: RE: Meeting Request on Regional Haze

**To:** McCabe, Janet; Koerber, Mike; Wood, Anna; Kornylak, Vera; Jones, Rhea; Lorang, Phil; Beaver, Melinda; Werner, Christopher; Timin, Brian; Smith, Kristi; Anderson, Lea; Marks, Matthew; Greenglass, Nora; Morales, Monica; Fallon, Gail; Laumann, Sara; Dresser, Chris; Jordan, Debbie; McKaughan, Colleen; Limaye, Vijay; Viswanathan, Krishna

**Outside Attendees (in person):**

- Cathy Woollums, Sr. Vice President, Environmental & Chief Environmental Counsel, Berkshire Hathaway Energy
- Chad Teply, Vice President, Strategy & Development, PacifiCorp
- Mark Menezes, Vice President, Federal Relations, Berkshire Hathaway Energy

**To:** Washington, Yvette[Washington.Yvette@epa.gov]  
**From:** Atkinson, Emily  
**Sent:** Fri 5/13/2016 4:08:51 PM  
**Subject:** FW: RE: Confirmed 5/20 at 1pm: RE: Meeting Request on Regional Haze

Please update the scheduler and send the email to security (James Stewart).

When you have finished this – please let me know.

Thank you!

**From:** Atkinson, Emily  
**Sent:** Friday, May 13, 2016 12:05 PM  
**To:** Woollums, Cathy S <CSWoollums@berkshirehathawayenergyco.com>  
**Cc:** Teply, Chad <Chad.Teply@pacificorp.com>; Menezes, Mark <Mark.Menezes@berkshirehathawayenergyco.com>  
**Subject:** RE: RE: Confirmed 5/20 at 1pm: RE: Meeting Request on Regional Haze

Wonderful – thank you!

Emily Atkinson  
Staff Assistant

Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5406B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

**From:** Woollums, Cathy S [mailto:CSWoollums@berkshirehathawayenergyco.com]  
**Sent:** Friday, May 13, 2016 11:57 AM  
**To:** Atkinson, Emily <Atkinson.Emily@epa.gov>  
**Cc:** Teply, Chad <Chad.Teply@pacificorp.com>; Menezes, Mark

<[Mark.Menezes@berkshirehathawayenergyco.com](mailto:Mark.Menezes@berkshirehathawayenergyco.com)>

**Subject:** RE: RE: Confirmed 5/20 at 1pm: RE: Meeting Request on Regional Haze

Emily – Participants in the meeting will be:

Cathy Woollums, Sr. Vice President, Environmental & Chief Environmental Counsel, Berkshire Hathaway Energy

Chad Teply, Vice President, Strategy & Development, PacifiCorp

Mark Menezes, Vice President, Federal Relations, Berkshire Hathaway Energy

Also, see attached comments filed in the Utah regional haze SIP/FIP proposal which will be part of the discussion.

Cathy

Cathy S. Woollums

Sr. Vice President, Environmental

and Chief Environmental Counsel

Berkshire Hathaway Energy

106 E. Second Street

Davenport, IA 52801

563-333-8009 (office)

563-320-1505 (cell)

[cswoollums@berkshirehathawayenergyco.com](mailto:cswoollums@berkshirehathawayenergyco.com)

**From:** Atkinson, Emily [<mailto:Atkinson.Emily@epa.gov>]  
**Sent:** Friday, May 13, 2016 10:30 AM  
**To:** Woollums, Cathy S  
**Subject:** [INTERNET] RE: RE: Confirmed 5/20 at 1pm: RE: Meeting Request on Regional Haze

This message originated outside of Berkshire Hathaway Energy's email system. Use caution if this message contains attachments, links or requests for information. Verify the sender before opening attachments, clicking links or providing information.

---

Hi Cathy,

I would need the list today to get it to our security desk for building clearance. Could you send it today – ideally by 2pm but no later than 4:30pm?

Emily Atkinson  
Staff Assistant

Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5406B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

**From:** Woollums, Cathy S [<mailto:CSWoollums@berkshirehathawayenergyco.com>]  
**Sent:** Friday, May 13, 2016 11:28 AM  
**To:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>

**Subject:** RE: RE: Confirmed 5/20 at 1pm: RE: Meeting Request on Regional Haze

Will do. I will send on Monday, along with some background material.

Cathy

Sent from Mail for Windows 10

**From:** Atkinson, Emily

**Sent:** Friday, May 13, 2016 10:12 AM

**To:** Woollums, Cathy S

**Subject:** [INTERNET] RE: Confirmed 5/20 at 1pm: RE: Meeting Request on Regional Haze

This message originated outside of Berkshire Hathaway Energy's email system. Use caution if this message contains attachments, links or requests for information. Verify the sender before opening attachments, clicking links or providing information.

---

Hi Cathy,

Just a reminder to please send a participants list in advance of next week's meeting.

Thank you.

Emily

Emily Atkinson  
Staff Assistant

Immediate Office of the Acting Assistant Administrator

Office of Air and Radiation, USEPA  
Room 5406B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

**From:** Atkinson, Emily  
**Sent:** Friday, May 06, 2016 9:32 AM  
**To:** Woollums, Cathy S <[CSWoollums@berkshirehathawayenergyco.com](mailto:CSWoollums@berkshirehathawayenergyco.com)>  
**Subject:** Confirmed 5/20 at 1pm: RE: Meeting Request on Regional Haze

Hi Cathy,

You are confirmed for one hour meeting on Friday, May 20 at 1:00pm ET with Janet McCabe.

Directions and procedures to 1200 Pennsylvania Avenue NW:

Metro: If you come by Metro get off at the Federal Triangle metro stop. Exit the metro station and go up two sets of escalators to the surface level and turn right. You will see a short staircase and wheelchair ramp leading to a set of glass doors with the EPA logo - that is the William Jefferson Clinton Federal Building, North Entrance.

Taxi: Direct the taxi to drop you off on 12th Street NW, between Constitution and Pennsylvania Avenues, at the elevator for the Federal Triangle metro stop - this is almost exactly half way between the two avenues on 12<sup>th</sup> Street NW. Facing the building with the EPA logo and American flags, walk toward the building and take the glass door on your right hand side with the escalators going down to the metro on your left – that is the North Lobby of the William Jefferson Clinton building.

Security Procedures: A government issued photo id is required to enter the building and it is suggested you arrive 15 minutes early in order to be cleared and arrive at the meeting room on time. Upon entering the lobby, the meeting attendees will be asked to pass through security and provide a photo ID for entrance. Let the guards know that you were instructed to call Ex. 6 - Personal Privacy for a security escort.

Please send me a list of participants in advance of the meeting and feel free to contact me should you need any additional information.

Emily

Emily Atkinson  
Staff Assistant

Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5406B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

**From:** Woollums, Cathy S [<mailto:CSWoollums@berkshirehathawayenergyco.com>]  
**Sent:** Thursday, May 05, 2016 8:15 PM  
**To:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>  
**Subject:** Re: RE: Meeting Request on Regional Haze

Emily - That will work for us. Thank you.

Cathy S. Woollums

SVP Environmental & Chief Environmental Counsel

Berkshire Hathaway Energy

106 E. Second Street

Davenport, IA 52802

563-333-8009 (office)

563-320-1505 (cell)

Sent from my Verizon 4G LTE Smartphone

----- Reply message -----

From: "Atkinson, Emily" <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>  
To: "Woollums, Cathy S" <[CSWoollums@berkshirehathawayenergyco.com](mailto:CSWoollums@berkshirehathawayenergyco.com)>

Subject: [INTERNET] RE: Meeting Request on Regional Haze  
Date: Thu, May 5, 2016 1:44 PM

This message originated outside of Berkshire Hathaway Energy's email system. Use caution if this message contains attachments, links or requests for information. Verify the sender before opening attachments, clicking links or providing information.

---

Hi Cathy,

It looks like we could fit this in as a one hour meeting on Friday, May 20 at 1:00pm ET. Please let me know if this could work on your end.

Thank you.

Emily

Emily Atkinson  
Staff Assistant

Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5406B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

**From:** Atkinson, Emily  
**Sent:** Thursday, May 05, 2016 11:27 AM  
**To:** Woollums, Cathy S <[CSWoollums@berkshirehathawayenergyco.com](mailto:CSWoollums@berkshirehathawayenergyco.com)>  
**Subject:** RE: Meeting Request on Regional Haze

Hi Cathy,



We are still reviewing this request and will get back to you shortly with scheduling options.

Emily Atkinson  
Staff Assistant

Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5406B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

**From:** Woollums, Cathy S [<mailto:CSWoollums@berkshirehathawayenergyco.com>]  
**Sent:** Monday, May 02, 2016 10:27 AM  
**To:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>  
**Subject:** RE: Meeting Request on Regional Haze

Good morning, Emily. Any progress on this?

Cathy

Cathy S. Woollums

Sr. Vice President, Environmental

and Chief Environmental Counsel

Berkshire Hathaway Energy

106 E. Second Street

Davenport, IA 52801

563-333-8009 (office)

563-320-1505 (cell)

[cswollums@berkshirehathawayenergyco.com](mailto:cswollums@berkshirehathawayenergyco.com)

**From:** Atkinson, Emily [<mailto:Atkinson.Emily@epa.gov>]  
**Sent:** Thursday, April 28, 2016 9:11 AM  
**To:** Woollums, Cathy S  
**Subject:** [INTERNET] RE: Meeting Request on Regional Haze

This message originated outside of Berkshire Hathaway Energy's email system. Use caution if this message contains attachments, links or requests for information. Verify the sender before opening attachments, clicking links or providing information.

---

Hi Cathy,

We are reviewing your request now and will get back to you shortly with scheduling options.

Emily Atkinson  
Staff Assistant

Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5406B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

**From:** Woollums, Cathy S [<mailto:CSWoollums@berkshirehathawayenergyco.com>]

**Sent:** Wednesday, April 27, 2016 3:49 PM  
**To:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>  
**Subject:** Meeting Request on Regional Haze

Emily – On behalf of PacifiCorp, a Berkshire Hathaway Energy subsidiary, I would like to schedule a meeting with AAA McCabe to discuss regional haze issues in Arizona and Utah as well as the agency's proposed action that would allow states to defer to 2021 the requirement to submit a new state plan. Dates that would work for our team include May 12, 13, 19, 20, and 26. Would any of those dates work for Assistant Administrator McCabe?

Regards,

Cathy S. Woollums

Sr. Vice President, Environmental

and Chief Environmental Counsel

Berkshire Hathaway Energy

106 E. Second Street

Davenport, IA 52801

563-333-8009 (office)

563-320-1505 (cell)

[cswoollums@berkshirehathawayenergyco.com](mailto:cswoollums@berkshirehathawayenergyco.com)

**To:** Atkinson, Emily[Atkinson.Emily@epa.gov]  
**Cc:** Stewart, Lori[Stewart.Lori@epa.gov]  
**From:** Koerber, Mike  
**Sent:** Thur 5/5/2016 7:20:50 PM  
**Subject:** RE: Meeting Request on Regional Haze

Emily – My apologies. I thought I sent this last week. Sorry. Here is the list:

**OAQPS:**

Koerber, Mike

Wood, Anna

Kornylak, Vera

Jones, Rhea

Lorang, Phil

Beaver, Melinda

Werner, Christopher

Timin, Brian

**OGC:**

Smith, Kristi

Anderson, Lea

Marks, Matthew

Greenglass, Nora

**R8:**

Morales, Monica

Fallon, Gail

Laumann, Sara

Dresser, Chris

**R9:**

Jordan, Debbie

McKaughan, Colleen

Limaye, Vijay

Viswanathan, Krishna

**From:** Atkinson, Emily  
**Sent:** Thursday, May 05, 2016 11:26 AM  
**To:** Koerber, Mike <Koerber.Mike@epa.gov>  
**Cc:** Stewart, Lori <Stewart.Lori@epa.gov>  
**Subject:** FW: Meeting Request on Regional Haze  
**Importance:** High

Circling back on this request –

Janet identified the meeting would include Beverly Banister, OAQPS, Regions 8 and 9 and OGC. Once I get a staff list from you, I will get back to the requestor to find a good date/time.

Thank you.

Emily

**From:** Atkinson, Emily  
**Sent:** Monday, May 02, 2016 10:29 AM  
**To:** Koerber, Mike <Koerber.Mike@epa.gov>  
**Cc:** Stewart, Lori <Stewart.Lori@epa.gov>  
**Subject:** RE: Meeting Request on Regional Haze

**Importance:** High

Circling back on this – the requestor has just now emailed me and asked about the status.

Janet identified the meeting would include Beverly Banister, OAQPS, Regions 8 and 9 and OGC. Once I get a staff list from you, I will get back to the requestor to find a good date/time.

Thank you.

Emily

Emily Atkinson  
Staff Assistant

Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5406B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

**From:** Atkinson, Emily  
**Sent:** Thursday, April 28, 2016 10:11 AM  
**To:** Koerber, Mike <[Koerber.Mike@epa.gov](mailto:Koerber.Mike@epa.gov)>  
**Cc:** Stewart, Lori <[Stewart.Lori@epa.gov](mailto:Stewart.Lori@epa.gov)>  
**Subject:** FW: Meeting Request on Regional Haze

Hi Mike,

Janet has reviewed this meeting request and asked me to set something up. Could you

send me a list of participants to include on the scheduler? Janet identified the meeting would include Beverly Banister, OAQPS, Regions 8 and 9 and OGC. Once I get a staff list from you, I will get back to the requestor to find a good date/time.

Thank you.

Emily

Emily Atkinson  
Staff Assistant

Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5406B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

**From:** Woollums, Cathy S [<mailto:CSWoollums@berkshirchathawayenergyco.com>]  
**Sent:** Wednesday, April 27, 2016 3:49 PM  
**To:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>  
**Subject:** Meeting Request on Regional Haze

Emily – On behalf of PacifiCorp, a Berkshire Hathaway Energy subsidiary, I would like to schedule a meeting with AAA McCabe to discuss regional haze issues in Arizona and Utah as well as the agency's proposed action that would allow states to defer to 2021 the requirement to submit a new state plan. Dates that would work for our team include May 12, 13, 19, 20, and 26. Would any of those dates work for Assistant Administrator McCabe?

Regards,

Cathy S. Woollums

Sr. Vice President, Environmental  
and Chief Environmental Counsel

Berkshire Hathaway Energy

106 E. Second Street

Davenport, IA 52801

563-333-8009 (office)

563-320-1505 (cell)

[cswollums@berkshirehathawayenergyco.com](mailto:cswollums@berkshirehathawayenergyco.com)



**From:** McCabe, Janet

**Location:** WJC-N 5400 + Video with RTP + 1-866-299-3188; Participant Code:

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

**Importance:** Normal

**Subject:** Conf. Call with Ray Sauvajot, NPS Associate Director for Natural Resource Stewardship and Science (Confirmed)

**Start Date/Time:** Thur 4/28/2016 5:30:00 PM

**End Date/Time:** Thur 4/28/2016 6:00:00 PM

RE: Request to schedule a call with the Acting Assistant Administrator for OAR

Confirmed 4/28 at 1:30pm ET: Request to schedule a call with the Acting Assistant Administrator for OAR

**To:** Janet McCabe, Beverly Banister, Mike Koerber, Anna Wood, Phil Lorang, Chris Werner, Melinda Beaver, Monica Morales, Scott Jackson, Sara Laumann

**Outside Attendees (by phone):** Ray Sauvajot + TBD

**To:** Shields, Claire[claire\_shields@nps.gov]  
**From:** Atkinson, Emily  
**Sent:** Tue 4/19/2016 2:48:29 PM  
**Subject:** Confirmed 4/28 at 1:30pm ET: Request to schedule a call with the Acting Assistant Administrator for OAR

Great Claire – call in details outlined below for the 30 minute call on Thursday, April 28 at 1:30pm ET.

1-866-299-3188

Participant Code: Ex. 6 - Personal Privacy

Emily Atkinson  
Staff Assistant

Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5406B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: atkinson.emily@epa.gov

**From:** Shields, Claire [mailto:claire\_shields@nps.gov]  
**Sent:** Tuesday, April 19, 2016 9:42 AM  
**To:** Atkinson, Emily <Atkinson.Emily@epa.gov>  
**Subject:** Re: Request to schedule a call with the Acting Assistant Administrator for OAR

Emily,

Thank you for the follow-up. Thursday, April 28th at 1:30pm will work on our end. Please can you confirm the number we should call and I will send out a calendar invite.

Thank you

Claire Shields  
Office of the Associate Director  
Natural Resource Stewardship and Science

National Park Service  
1849 C Street NW  
Washington, DC 20240

T: 202 208 5652

F: 202 273 3237

E: [Claire\\_Shields@nps.gov](mailto:Claire_Shields@nps.gov)

W: [www.nature.nps.gov](http://www.nature.nps.gov)

On Mon, Apr 18, 2016 at 11:28 AM, Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)> wrote:

Hi Claire,

It looks like we could fit this in on Thursday, April 28 at 1:30pm ET. Let me know if this works on your end.

Thank you.

Emily

Emily Atkinson  
Staff Assistant

Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5406B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850

Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

**From:** Shields, Claire [mailto:[claire\\_shields@nps.gov](mailto:claire_shields@nps.gov)]

**Sent:** Friday, April 15, 2016 4:36 PM

**To:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>

**Subject:** Re: Request to schedule a call with the Acting Assistant Administrator for OAR

Emily,

Thank you for following up. I had needed to confirm some scheduling issues for the week of 4/25. Unfortunately, Ray is unable to make a call on 4/27 at 4:30pm as he will be in-flight on his return from travel.

He is available the following day, Thursday, 4/28, anytime between 12:00pm and 3:00pm. His availability on Friday, 4/29 is limited to a one hour window between 1:00pm and 2:00pm.

Please let me know if any of these times would be convenient.

Thank you

Claire Shields  
Office of the Associate Director  
Natural Resource Stewardship and Science  
National Park Service  
1849 C Street NW  
Washington, DC 20240

T: 202 208 5652

F: 202 273 3237

E: [Claire\\_Shields@nps.gov](mailto:Claire_Shields@nps.gov)

W: [www.nature.nps.gov](http://www.nature.nps.gov)

On Fri, Apr 15, 2016 at 3:15 PM, Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)> wrote:

Hi Claire,

Just want to follow up on this meeting request to see if a 30 minute call on Wednesday, April 27 at 4:30pm could work on your end.

Emily

Emily Atkinson  
Staff Assistant

Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5406B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

**From:** Atkinson, Emily  
**Sent:** Monday, April 11, 2016 4:53 PM  
**To:** [claire\\_shields@nps.gov](mailto:claire_shields@nps.gov)  
**Subject:** FW: Request to schedule a call with the Acting Assistant Administrator for OAR

Hi Claire,

It looks like we could fit this in as a 30 minute call on Wednesday, April 27 at 4:30pm. Let me know if this could work on your end.

Thank you.

Emily

Emily Atkinson  
Staff Assistant

Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5406B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

**From:** Shields, Claire [[mailto:claire\\_shields@nps.gov](mailto:claire_shields@nps.gov)]  
**Sent:** Wednesday, April 06, 2016 2:24 PM  
**To:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>  
**Subject:** Request to schedule a call with the Acting Assistant Administrator for OAR

Emily,

As I mentioned when I called this morning, I have been asked to try and set up a convenient time for Ray Sauvajot, Associate Director for Natural Resource Stewardship and Science to briefly talk with Janet. As a follow-up to my call, below is an outline of what he would like to discuss:

- Thank her for EPA's outreach and engagement with the National Park Service (NPS) air specialists on steps that enhance the effectiveness of the regional haze rule. EPA is a valued partner to the NPS.

- Discuss the currently pending Utah Regional Haze Plan, particularly in regard to the importance of clean air to our national parks. Of specific interest is the EPA's position on the emission controls on the Hunter and Huntington Power Plants that affect 8 Class I national parks, 5 of which are in Utah

Finally, given that 2016 is the Centennial year of the National Park Service, they might briefly explore if there is an opportunity for collaboration in highlighting to the public the progress that EPA and the

states have made, and continue to make under the regional haze program, to improve the clarity of the air in national parks and other protected areas.

If there is any possibility of scheduling a call for tomorrow or Friday, Ray would have availability at the following times:

Thursday, 4/7 - between 12:00pm and 3:00pm

Friday, 4/8 - between 10:00am and 11:00am, between 12:00pm and 2:00pm, anytime after 3:00pm

Thank you for your time and I look forward to hearing from you.

Regards

Claire Shields  
Office of the Associate Director  
Natural Resource Stewardship and Science  
National Park Service  
1849 C Street NW  
Washington, DC 20240

T: 202 208 5652

F: 202 273 3237

E: [Claire\\_Shields@nps.gov](mailto:Claire_Shields@nps.gov)

W: [www.nature.nps.gov](http://www.nature.nps.gov)

**To:** Atkinson, Emily[Atkinson.Emily@epa.gov]; Wood, Anna[Wood.Anna@epa.gov]  
**Cc:** Stewart, Lori[Stewart.Lori@epa.gov]  
**From:** Koerber, Mike  
**Sent:** Mon 4/11/2016 8:33:19 PM  
**Subject:** RE: Request to schedule a call with the Acting Assistant Administrator for OAR

Please invite:

OAQPS – Mike Koerber, Anna Wood, Phil Lorang, Chris Werner, Melinda Beaver

Region 8 – Monica Morales, Scott Jackson, Sara Laumann

**From:** Atkinson, Emily  
**Sent:** Monday, April 11, 2016 2:46 PM  
**To:** Koerber, Mike <Koerber.Mike@epa.gov>; Wood, Anna <Wood.Anna@epa.gov>  
**Cc:** Stewart, Lori <Stewart.Lori@epa.gov>  
**Subject:** RE: Request to schedule a call with the Acting Assistant Administrator for OAR

Ok Mike – can you send me a list of staff names for OAQPS and R8 to include in the pre-brief and the meeting?

Thank you!

Emily

**From:** Koerber, Mike  
**Sent:** Monday, April 11, 2016 2:36 PM  
**To:** Atkinson, Emily <Atkinson.Emily@epa.gov>; Wood, Anna <Wood.Anna@epa.gov>  
**Cc:** Stewart, Lori <Stewart.Lori@epa.gov>  
**Subject:** RE: Request to schedule a call with the Acting Assistant Administrator for OAR

Emily - Yes, I think this is a meeting that Janet should take.



Mike

**From:** Atkinson, Emily  
**Sent:** Monday, April 11, 2016 2:24 PM  
**To:** Koerber, Mike <[Koerber.Mike@epa.gov](mailto:Koerber.Mike@epa.gov)>; Wood, Anna <[Wood.Anna@epa.gov](mailto:Wood.Anna@epa.gov)>  
**Cc:** Stewart, Lori <[Stewart.Lori@epa.gov](mailto:Stewart.Lori@epa.gov)>  
**Subject:** RE: Request to schedule a call with the Acting Assistant Administrator for OAR

Hi Mike and Anna,

Just following up on this meeting request – please let us know if you think this is a meeting she should take or delegate.

If your recommendation is for Janet to take the meeting, then she asks that I set it up with enough time for a pre-meeting with OAQPS and Region 8.

Thank you!

Emily

Emily Atkinson  
Staff Assistant

Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5406B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

**From:** Atkinson, Emily  
**Sent:** Thursday, April 07, 2016 12:16 PM

**To:** Koerber, Mike <[Koerber.Mike@epa.gov](mailto:Koerber.Mike@epa.gov)>; Wood, Anna <[Wood.Anna@epa.gov](mailto:Wood.Anna@epa.gov)>  
**Cc:** Stewart, Lori <[Stewart.Lori@epa.gov](mailto:Stewart.Lori@epa.gov)>  
**Subject:** FW: Request to schedule a call with the Acting Assistant Administrator for OAR

Hi Mike and Anna,

Janet has reviewed this request and asked that I check in with the two of you first. Please let us know if you think this is a meeting she should take or delegate.

If your recommendation is for Janet to take the meeting, then she asks that I set it up with enough time for a pre-meeting with OAQPS and Region 8.

Thank you!

Emily

Emily Atkinson  
Staff Assistant

Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5406B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

**From:** Shields, Claire [[mailto:claire\\_shields@nps.gov](mailto:claire_shields@nps.gov)]  
**Sent:** Wednesday, April 06, 2016 2:24 PM  
**To:** Atkinson, Emily <[Atkinson.Emily@epa.gov](mailto:Atkinson.Emily@epa.gov)>  
**Subject:** Request to schedule a call with the Acting Assistant Administrator for OAR

Emily,

As I mentioned when I called this morning, I have been asked to try and set up a convenient time for Ray Sauvajot, Associate Director for Natural Resource Stewardship and Science to briefly talk with Janet. As a follow-up to my call, below is an outline of what he would like to discuss:

- Thank her for EPA's outreach and engagement with the National Park Service (NPS) air specialists on steps that enhance the effectiveness of the regional haze rule. EPA is a valued partner to the NPS.

- Discuss the currently pending Utah Regional Haze Plan, particularly in regard to the importance of clean air to our national parks. Of specific interest is the EPA's position on the emission controls on the Hunter and Huntington Power Plants that affect 8 Class I national parks, 5 of which are in Utah

Finally, given that 2016 is the Centennial year of the National Park Service, they might briefly explore if there is an opportunity for collaboration in highlighting to the public the progress that EPA and the states have made, and continue to make under the regional haze program, to improve the clarity of the air in national parks and other protected areas.

If there is any possibility of scheduling a call for tomorrow or Friday, Ray would have availability at the following times:

Thursday, 4/7 - between 12:00pm and 3:00pm

Friday, 4/8 - between 10:00am and 11:00am, between 12:00pm and 2:00pm, anytime after 3:00pm

Thank you for your time and I look forward to hearing from you.

Regards

Claire Shields  
Office of the Associate Director  
Natural Resource Stewardship and Science  
National Park Service  
1849 C Street NW  
Washington, DC 20240

T: 202 208 5652

F: 202 273 3237

E: [Claire\\_Shields@nps.gov](mailto:Claire_Shields@nps.gov)

W: [www.nature.nps.gov](http://www.nature.nps.gov)

**From:** McCabe, Janet

**Location:** WJC-N 5400 + Video with RTP + 1-866-299-3188; Participant Code:  

Ex. 6 - Personal Privacy

**Importance:** Normal

**Subject:** Prebrief for Conf. Call with Ray Sauvajot, NPS Associate Director for Natural Resource Stewardship and Science

**Categories:** EZ Record - Private

**Start Date/Time:** Mon 4/25/2016 6:00:00 PM

**End Date/Time:** Mon 4/25/2016 6:30:00 PM

RE: Request to schedule a call with the Acting Assistant Administrator for OAR

**To:** Janet McCabe, Beverly Banister, Mike Koerber, Anna Wood, Phil Lorang, Chris Werner, Melinda Beaver, Monica Morales, Scott Jackson, Sara Laumann

**From:** Dunham, Sarah

**Location:** WJC-N 5400 + 1 866-299-3188; Participant Code: Ex. 6 - Personal Privacy

**Importance:** Normal

**Subject:** Briefing on Utah Regional Haze Litigation Activity and options for next steps

**Categories:** EZ Record - Private

**Start Date/Time:** Wed 3/1/2017 7:30:00 PM

**End Date/Time:** Wed 3/1/2017 8:00:00 PM

[UT RH Sarah D Mtg Request 2 24 17.docx](#)

[UT Briefing for Sarah Dunham 3 1 17 rev w option.docx](#)

**To:** Dunham, Sarah; Lewis, Josh; Page, Steve; Koerber, Mike; Wood, Anna; Kornylak, Vera; Beaver, Melina; Werner, Christopher; Lorang, Phil; Anderson, Lea; Zenick, Elliott; Srinivasan, Gautam; Schmidt, Lorie; Greenglass, Nora; Morales, Monica; Daly, Carl; Laumann, Sara  
**Cc:** Alston, Lala; Johnson, YvonneW; Long; Pam

**Note:** Region 8 will be on the phone.

**OAD Meeting Request Form  
For Sarah Dunham**

**Date of this Request:** 02/24/2017

**Scheduling Point of Contact:** Lala Alston 919-541-5616

**Technical Point of Contact:** Anna Wood 919-541-3604

**Subject:** Briefing on Utah regional haze litigation activity and options for next steps.

**Purpose:** to provide background and seek direction on responding to a request from the 10<sup>th</sup> Circuit Court of Appeals regarding the Utah regional haze litigation.

- Next ADP Milestone:
- If applicable, due date to: OP \_\_/\_\_/\_\_ ( days review); OMB: \_\_/\_\_/\_\_ ( days review);
- Legal deadline: (specify court-ordered, settle agreement, court promise, etc.) due date \_\_/\_\_/\_\_;
- Other firm deadline: 3/3/17 (to enable DOJ to develop court filings)

**First possible date for meeting:** 2/27/2017

**Last possible date for meeting:** 3/3/2017

**Duration:** 30 min

**Requested Audio / Video** (*Mark with "X" if requested*)

\_\_\_\_\_ **Video Location(s):**

*List video locations needed (e.g., RTP, DC, Regions)– HQ will set up a bridge if needed*

\_\_\_\_\_ **HQ Conference Line:**

*If requested, HQ staff will provide in meeting invite*

**Invitees (please list by Office and in Outlook format, e.g. Last, First):**

*Please include the key OGC and/or Regional representatives as appropriate. Only key invitees are listed by office; others are Cc:*

<u>Office/Org</u>	<u>Name (Last, First)</u>
OAR	Lewis, Josh
OAQPS	Page, Steve; Koerber, Mike; Wood, Anna; Kornylak, Vera; Beaver, Melina; Werner, Christopher; Lorang, Phil
OGC	Anderson, Lea; Zenick, Elliott; Srinivasan, Gautam; Schmidt, Lorie; Greenglass, Nora
R8	Morales, Monica; Daly, Carl; Laumann, Sara

Cc:

Schedulers to Cc: Alston, Lala; Johnson, Yvonne; Long, Pam

HQ Meeting Briefing Materials: Must provide to OAQPS IO by 5:00pm, 2 day before meeting

**Regulatory and Related Actions**

**This Week:**

## Ex. 5 - Deliberative Process

**Proposed CPP Repeal Listening Sessions** – Only registration for Gillette is still open. **KC**  
totals below are post-hearing numbers.

City (session date)	Attending	Speaking
Kansas City, MO (2/21)	270	189
San Francisco, CA (2/28)	272	289
Gillette, WY (3/27)	N/A	73

## Ex. 5 - Deliberative Process

**Coming Soon:**

## Ex. 5 - Deliberative Process



# Ex. 5 - Deliberative Process

## Congressional

### ARLO Deadline Calendar for the Week of February 12, 2018

#### NEW CASES, NOTICES OF CITIZEN SUIT, and PETITIONS NEW CASES

##### NEW CASES

- *Sierra Club v. EPA*, No. 18-1038 (D.C. Cir) (petition for review of EPA's final action in *In the Matter of PacifiCorp Energy - Hunter Power Plant, Emery County, Utah*) at 82 Fed. Reg. 58196 (Dec. 11, 2017) (John Krallman)
- *Sierra Club v. EPA*, No. 18-9507 (10<sup>th</sup> Cir.) (protective petition for review of EPA's final action in *In the Matter of PacifiCorp Energy - Hunter Power Plant, Emery County, Utah*) at 82 Fed. Reg. 58196 (Dec. 11, 2017) (John Krallman)

##### NOTICES OF CITIZEN SUIT

- NOI dated February 7, 2018 filed on behalf of Sierra and Environmental Integrity Project for failure to timely grant or deny a petition to object to the proposed Title V permit renewal for the Wheelabrator Frackville Energy, Inc. power generating facility in Schuylkill County, Pennsylvania (Daniel Schramm)

##### PETITIONS

##### NEW DECISIONS and SETTLEMENTS

#### UPCOMING LITIGATION and COURT-ORDERED AND RELATED DEADLINES

##### UPCOMING LITIGATION DEADLINES

## 2018

- 02/12 EPA Brief Due  
***Samuel Musias, et al. v. EPA***, No. 16-1314 (DC Cir.) (Petition for review of the Air Quality Designations for the 2010 Sulfur Dioxide (SO<sub>2</sub>) Primary National Ambient Air Quality Standard-Round 2 at 81 Fed. Reg. 45039 (July 12, 2016) (Andrea Carrillo)
- 02/12 Motion to Govern Future Proceedings  
***Monroe Energy et al. v. EPA***, Nos. 14-1014, 16-1032, 16-1052, 16-1055, 17-1255, 17-1259 (D.C. Cir.) (Petition for review, on “after arising” grounds, 2010 regulation establishing RFS point of obligation) (Roland Dubois)
- 02/12 Status Report  
***American Petroleum Institute, et al. v. EPA***, No. 08-1277 (D.C. Cir.) – Consolidated petitions for review of EPA’s final rule entitled Standards of Performance for Petroleum Refineries Final Rule, 73 Fed. Reg. 35838 (June 24, 2008) (Dan Conrad)
- 02/13 Motion to Govern Future Proceedings  
***American Petroleum Institute et al. v. EPA***, Nos. 12-1442 (D.C. Cir.) petition for review of EPA's final rule entitled "Standards of Performance for Petroleum Refineries; Standards of Performance for Petroleum Refineries for Which Construction; Reconstruction; or Modification Commenced After May 14, 2007" 77 Fed. Reg. 56; 422 (September 12, 2012) (Dan Conrad)
- 02/14 Oral Argument  
***Montana Env't'l Info. Ctr. v. EPA***, No. 16-71933 (9<sup>th</sup> Cir.) (Petition for review of EPA’s final rule entitled: “Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 2008 Lead; 2008 Ozone; 2010 NO<sub>2</sub>; 2010 SO<sub>2</sub>; and 2012 PM<sub>2.5</sub> National Ambient Air Quality Standards; Montana”) (Geoff Wilcox, Melina Williams)
- 02/16 Status Report  
***Environmental Integrity Project, et al. v. EPA***, No. 1:17cv1233 (D. DC) (failure to timely grant or deny a petition to object to the proposed Title V Operating Permit for the Raven coal-fired power plant in Maryland) (Howard Hoffman)
- 02/20 Dispositive Motions and Certified Index to the Record  
***Small Retailers Coalition v. EPA***, No. 17-1197 (D.C. Cir.) (for EPA's failure to comply with the RFA in issuing the 2017 RFS standards) (Ryland Li)
- 02/20 EPA Answer/Motion to Dismiss  
***Small Retailers Coalition v. EPA***, No. 7:17-cv-00121 (N.D. TX) (for EPA's noncompliance with sections 603 and 604 of the RFA in issuing the 2017 RFS standards, and for failure to annually review the point of obligation of the RFS) (Ryland Li)
- 02/22 Hearing  
***American Lung Association, et al. v. EPA***, No. 3:17-cv-06900 (N.D. CA) (for

failure to designate areas under the 2015 Ozone NAAQS) (Jan Tierney)

- 02/23 Status Report  
**National Parks Conservation Association, et al. v. EPA**, No. 1:11-cv-1548 (D.D.C.) (Complaint alleging EPA's failure to perform a non-discretionary duty to issue regional haze FIPs for 39 states for which it made a finding of failure to submit, and to take action on 10 regional haze SIPs) (Lea Anderson, Matthew Marks)
- 03/01 Motion to Dismiss/Answer Due  
**Clean Air Council v. EPA**, No. 2:17-cv-04977-PD (E.D. PA) (constitutional lawsuit claiming "rollback" climate-related initiatives violate the Fifth Amendment and a federal Public Trust Doctrine (Daniel Conrad, Zach Pilchen)
- 03/05 Status Report  
**Utility Air Regulatory Group, et al. v. EPA**, No. 04-1076 (D.C. Cir.) (Petition for review of EPA's 2004 final rule promulgating monitoring requirements for particulate matter continuous emissions monitoring systems at new stationary sources) (Amy Branning)
- 03/05 Answer  
**CBD et al. v. Pruitt**, No. 3:17-cv-07209 (N.D. Cal.) (Deadline suit concerning five 2012 PM2.5 nonattainment areas) (Jonathan Skinner-Thompson)
- 03/05 Oral Argument  
**U.S. v. Luminant**, No. 17-10235, (5<sup>th</sup> Cir.) (enforcement case alleging that two power plants in Texas violated Clean Air Act requirements by making major modifications without obtaining required air permits and complying with pollution control requirements) (Melina Williams)
- 03/05 Status Report  
**CLF v EPA**, No. 13-1233 (D.C. Cir.) (Petition for Review of emergency engine provisions allowing 50 hours of operation for local reliability in NSPS and NESHAP rules. The court granted EPA's motion for voluntary remand on September 23, 2015 and ordered parties to submit status reports at 90-day intervals) (Sheila Igoe)
- 03/06 Oral Argument  
**State of Delaware Department of Natural Resources & Environmental Control v. EPA**, No. 17-1644 (3rd Cir.) (petition for review of EPA's final action entitled, "Extension of Deadline for Action on the November 28, 2016 Section 126 Petition from Delaware," 82 Fed. Reg. 7,695 (Jan. 23, 2017) (Abi Vijayan)
- 03/09 EPA Brief Due  
**Energy Developments v. EPA**, No. 17-4074 (6<sup>th</sup> Cir.) (Petition for review of EPA decision to deny RFS registration for biogas producer selling biogas for non-transportation uses) (Roland Dubois) (Possible extension of deadline being negotiated)

- 03/09 Response to Complaint Due  
***Humane Society of The United States, et al. v. EPA***, No. 17-1719 (D. D.C.)  
HSUS CAFO SECTION 111 UNREASONABLE DELAY CASE (2017) - Claim of Unreasonable Delay in Responding to a 2009 Petition seeking the Regulation of CAFOs under Section 111 of the Clean Air Act (Scott Jordan)
- 03/12 Status Report  
***State of Texas, et al. v. EPA***, No. 17-60088 (5th Cir.) (Petition for review of final action entitled “Air Quality Designations for the 2010 Sulfur Dioxide (SO<sub>2</sub>) Primary National Ambient Air Quality Standard—Supplement to Round 2 for Four Areas in Texas: Freestone and Anderson Counties, Milam County, Rusk and Panola Counties, and Titus County”) 81 Fed. Reg. 89,870 (Dec. 13, 2016) (Andrea Carrillo)
- 03/12 Status Report  
***State of West Virginia, et al. v. EPA***, No. 15-1363 (D.C. Cir.) (CPP CHALLENGE - LEAD CASE - Petition for review of EPA’s final rule titled “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units.” at 80 Fed. Reg. 64,662 (October 23, 2015) (Scott Jordan)
- 03/13 Status Report  
***State of Utah, et al. v. EPA***, No. 16-9541 (10th Cir.) (petition for review of EPA’s final rule entitled “Approval, Disapproval and Promulgation of Air Quality Implementation Plans, Partial Approval and Partial Disapproval of Air Quality Implementation Plans and Federal Implementation Plan, Utah, Revisions to Regional Haze State Implementation Plan, Federal Implementation Plan for Regional Haze” at 81 Fed. Reg. 43,894-01 (July 5, 2016) (Nora Greenglass)
- 03/16 Status Report  
***Biogetic CO<sub>2</sub> Coalition v. EPA***, No. 15-1480 (DC Cir.) (EGU 111(b) BIOMASS LEAD CASE - Petition for review of EPA’s final rule entitled “Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units” at 80 Fed. Reg. 64,510 (October 23, 2015) (Nora Greenglass)
- 03/16 Oral Argument  
***Air Alliance Houston, et al. v. EPA***, No. 17-1155, (D.C. Cir.) (petition for review of EPA’s final action titled “Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act, Further Delay of Effective Date.” at 82 Fed. Reg. 27,133 (June 14, 2017)) (Jonathan Averbach)
- 03/16 Motion for summary judgment  
***Center for Biological Diversity, et al. v. EPA***, No. 1:17-cv-02002 (D. D.C.) (deadline suit alleging EPA's failure to issue a FIP for Alabama and Mississippi to address conflicts of interest for state boards under CAA section 128) (Geoffrey Wilcox)

- 03/20 Status Report  
***American Petroleum Institute, et al. v. EPA***, No. 13-1108 (DC Cir.) (Petition for review of 2012 oil and gas NSPS revision bifurcated from challenge to 2012 NESHAP and consolidated with challenge to 2013 NSPS amendment and 2016 NSPS) (Amy Branning)
- 03/22 Oral Argument  
***Natural Resources Defense Council, et al. v. EPA***, No. 16-1413 (D.C. Cir.) (petition for review of the 2016 Exceptional Events Rule) (Emily Seidman)
- 03/23 Status Report  
***American Chemistry Council et al v. EPA***, No. 08-1014 (D.C. Cir.) (Petitions for review of 2007 revisions to NSPS for Leak Detection and Repair for refineries and chemical processing plants) (Amy Branning)
- 03/28 Dispositive Motions  
***Sierra Club v. EPA***, No. 18-1038 (D.C. Cir) (petition for review of EPA’s final action in *In the Matter of PacifiCorp Energy - Hunter Power Plant, Emery County, Utah*) at 82 Fed. Reg. 58196 (Dec. 11, 2017))
- 04/02 Status Report  
***Cliffs Natural Resources, Inc. v. EPA***, No. 13-3573 (8th Cir.) (Petition for review of EPA’s final action titled "Approval and Promulgation of Air Quality Implementation Plans, States of Michigan and Minnesota, Regional Haze" at 78 Fed. Reg. 59,825 (Sept. 30, 2013)) (Matthew Marks)
- 04/02 Oral Argument  
***NEDACAP v. EPA***, No. 16-1344 (D.C. Cir.) (Petition for review of the Regional Consistency Regulations) (Karen Bianco)
- 04/03 Motions to govern further proceedings  
***National Waste & Recycling Association, et al. v. EPA***, No. 16-1372 (DC Cir.) (petition for review of EPA’s final rule entitled “Standards of Performance for Municipal Solid Waste Landfills.” at 81 Fed. Reg. 59,332 (Aug. 29, 2016)) (Karen Palmer)
- 04/07 Motion to Govern Further Proceedings  
***Compsys, Inc. v. EPA***, No. 15-1334, (DC Cir.) (Petition for review of EPA’s final rule titled “Protection of Stratospheric Ozone: Change of Listing Status for Certain Substitutes Under the Significant New Alternatives Policy Program, Part II” at 80 FR 42870 (July 20, 2015)) (Jan Tierney)
- 04/16 Procedural Motions  
***Crossett Concerned Citizens for Environmental Justice, et al. v. EPA***, No. 17-1257 (D.C. Cir.) (petition for review of EPA’s final action titled “National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills” 82 Fed. Reg. 47,3 28 (Oct. 11,2017)) (Scott Jordan)

- 04/19 Status Report  
***American Petroleum Institute v. EPA***, No. 12-1405 (D.C. Cir.) (Petitions for review of EPA's 2012 oil and gas NESHAP revision based on residual risk and technology review (Amy Branning))
- 04/19 Status report due  
***Environmental Committee of the Florida Electric Power Coordinating Group, Inc., et al. v. EPA***, No. 15-1239 (D.C. Cir.) (petition for review of EPA's final rule entitled "State Implementation Plans: Response to Petition for Rulemaking, Restatement Update of EPA's SSM Policy Applicable to SIPs, Findings of Substantial Inadequacy, and SIP Calls to Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown, and Malfunction" at 33839-33985 Fed. Reg. June 12, 2015) (Karen Bianco)
- 04/19 Status Report  
***Murray Energy Corporation v. EPA***, No. 16-1127 (DC Cir.) (petition for review of EPA's final action entitled "Supplemental Finding that it is Appropriate and Necessary to Regulate Hazardous Air Pollutants from Coal- and Oil-Fired Electric Utility Steam Generating Units at 81 Fed. Reg. 24,420 (April 25, 2016)) (Karen Bianco, Kaytrue Ting)
- 04/20 Motions to Govern Future Proceedings  
***Mossville Environmental Action Now, et al. v. EPA***, No. 12-1263 (D.C. Cir.) (Petition for review of EPA's final action entitled "National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production," 77 Fed. Reg. 22,848 (April 17, 2012)) (Susmita Dubey)
- 04/20 Reply Brief  
***Center for Biological Diversity, et al. v. EPA***, No. 1:17-cv-02002 (D. D.C.) (deadline suit alleging EPA's failure to issue a FIP for Alabama and Mississippi to address conflicts of interest for state boards under CAA section 128) (Geoffrey Wilcox)
- 04/23 EPA Brief Due  
***Coffeyville Resources, et al., v. EPA***, Nos. 17-1044, 1045, 1047, 1049, 1051, 1052 (D.C. Cir.) (Petition for review of 2017 RFS annual standards rule) (Roland Dubois)
- 04/30 Status Report  
***State of Texas, et al. v. EPA***, No. 17-1021 (D.C. Cir.) (Petition for review of EPA's final action titled "Protection of Visibility: Amendments to Requirements for State Plans," 82 Fed. Reg. 3078 (Jan. 10, 2017)) (Matthew Marks)
- 04/30 Status Report  
***Samuel Masias, et al. v. EPA***, No. 16-1314 (DC Cir.) (Petition for review of the Air Quality Designations for the 2010 Sulfur Dioxide (SO<sub>2</sub>) Primary National Ambient Air Quality Standard-Round 2) 81 Fed. Reg. 45039 (July 12, 2016) (Andrea Carrillo)

## UPCOMING COURT-ORDERED AND RELATED DEADLINES

2018

- 03/01 Grant or deny a petition to object to a proposed title V operating permit for the Baytown Olefins Plant (TX).  
***Environmental Integrity Project v. Pruitt***, No. 1:17-cv-1439 (D.D.C.)  
(anticipated court order) (Emily Seidman)
- 03/30 Sign a notice of final rulemaking to approve, disapprove, conditionally approve, or approve in part and conditionally approve or disapprove in part an outstanding SIP submittal for **Sacramento Metro (Yolo-Solano), CA**  
***Center for Biological Diversity, et al. v. EPA***, No. 4:16cv4092 (ND CA)  
(Deadline suit for failure to submit and failure to act on 2008 ozone attainment SIPs) (Derek Mills, Karen Bianco)
- 04/02 Grant or deny a petition to object to a proposed title V operating permit for the Baytown Refinery (TX).  
***Environmental Integrity Project v. Pruitt***, No. 1:17-cv-1440 (D.D.C.)  
(anticipated court order) (Emily Seidman)
- 04/06 Sign a notice of final rulemaking setting forth final decision in review of primary NOx NAAQS pursuant to CD  
***Center for Biological Diversity, et al. v. EPA***, No. 3:16cv3796 (ND CA) (failure to timely review, revise and promulgate the Air Quality Criteria for Sulfur Oxides and the NAAQS for Sulfur Dioxide and Nitrogen Oxides as may be appropriate) (Melina Williams)
- 04/08 Sign notice of final action on Connecticut Section 126 petition  
***Connecticut v. Pruitt***, No. 3:17-cv-00796-WWE (D. Conn.) (Abi Vijayan)

## CASES and MAJOR MOTIONS AWAITING DECISION

- ***State of West Virginia, et al. v. EPA***, No. 15-1363 (D.C. Cir.) CPP CHALLENGE - LEAD CASE - Petition for review of EPA's final rule titled "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units." (Scott Jordan) (argued September 27, 2016)
- ***South Coast Air Quality Management District v. EPA***, No. 15-1115 (D.C. Cir.) (SIP Requirements Rule for the 2008 Ozone NAAQS) (argued September 14, 2017) (Karen Bianco)
- ***Sierra Club v. EPA***, No. 16-1021 (D.C. Cir.) (challenge to major source boilers reconsideration) (argued September 15, 2017)
- ***Finger Lakes Zero Waste Coalition, Inc. v. EPA***, No. 16-3420 (2nd Cir.) (petition for review of EPA's final action regarding the Order denying petition requesting that the Administrator reopen Title V operating permit issued to Seneca Energy for the Ontario County Landfill Gas-to-Energy Facility) (Andrea Carrillo) (awaiting court's decision on whether to hear oral argument)
- ***Environmental Integrity Project, et al. v. EPA***, No. 1:17cv1233 (D. DC) (for failure to timely grant or deny a petition to object to the proposed Title V Operating Permit for the Raven coal-fired power plant in Maryland) (Howard

Hoffman) (briefing completed on Sept. 22, 2017)

- ***Sierra Club v. EPA***, No. 15-1487 (Brick/Clay Ceramics MACT litigation) - Petition for review of EPA Final Rule entitled "NESHAP for Brick and Structural Clay Products Manufacturing; and NESHAP for Clay Ceramics Manufacturing" (80 FR 65470 (Oct. 26; 2015))
- ***United States Steel Corporation v. EPA***, No. 16-2668 (8th Cir.) (Petition for review of EPA's final action titled "Air Plan Approval, Minnesota and Michigan, Revision to 2013 Taconite Federal Implementation Plan Establishing BART for Taconite Plants," 81 Red. Reg. 21,672 (Apr. 12, 2016)) (Matthew Marks) (argued Nov. 15, 2017)
- ***UARG v. EPA***, No. 12-1342 (D.C. Cir.) (challenge to EPA's determination that CSAPR provides for greater reasonable progress than BART and EPA's limited disapproval of regional haze SIPs relying on CAIR) (Lea Anderson) (argued Nov. 16, 2017)
- ***Community In-Power and Development Association, et al. v. EPA***, No. 1:16cv1074 (D DC) (failure to issue standards or final residual risk determinations under CAA section 112 for various major sources of hazardous air pollutants categories. Also for failure to review and revise as necessary emission standards promulgated every 8 years) (Jan Tierney) (argued November 30, 2017)
- ***Ergon-West Virginia, Inc. v. EPA***, No. 17-1839 (4th Cir.) (petitions for review of EPA's final action: Denial of Request for Extension of Small Refinery Temporary Exemption Under the Renewable Fuel Standards Program for Ergon-West Virginia, Inc.'s Newell, WV Refinery) (Susan Stahle) (argued December 7, 2017)
- ***United States of America, et al. v. Volkswagen AG, et al.*** No. 16-17060 (9<sup>th</sup> Cir.) (Denial of Intervention) (Mark Kataoka) (argued December 7, 2017)
- ***United States v. U.S. District Court of Oregon and Juliana, et al.***, No. 17-71692 (9th Cir.) (petition for writ of mandamus over denial of motion to dismiss in *Juliana v. United States*, a case alleging multi-agency constitutional and public trust violations arising from actions and inactions on climate change) (Zach Pilchen, Melina Williams, Karen Palmer) (argued December 11, 2017)
- ***Environmental Integrity Project, et al. v. Pruitt***, No. 1:17cv1439 (and consolidated cases) (D.D.C.) (five consolidated CAA § 304 actions alleging failure to respond to petitions to object to Title V permits issued by the Texas Commission on Environmental Quality for various facilities located in Texas) (Charles Starrs) (cross motions for summary judgment seeking different schedules for EPA to respond to the Title V petitions are fully brief as of January 26, 2018)
- ***American Lung Association, et al. v. EPA***, No. 17-1172 (D.C. Cir.) (petition for review of EPA's final action extending the deadline for promulgating initial area designations for the 2015 ozone national ambient air quality standards, at 82 FR 29,246 (June 28, 2017)) (Karen Bianco) (case is fully brief as of September 5, 2017)
- ***Sierra Club v. EPA***, No. 1:16-cv-02461 (D.D.C.) (Deadline Suit concerning Clean Air Act obligations related to Commercial and Industrial Solid Waste Incinerators (CISWI) and Other Solid Waste Incinerators (OSWI) source categories) (Karen Bianco) (awaiting court's decision on whether to hear oral argument)



## OAQPS GAO Audit Status Report

### New Audits

# Ex. 5 - Deliberative Process

# **Ex. 5 - Deliberative Process**

# **Ex. 5 - Deliberative Process**

# **Ex. 5 - Deliberative Process**

# **Ex. 5 - Deliberative Process**

# **Ex. 5 - Deliberative Process**

**To:** Koerber, Mike[Koerber.Mike@epa.gov]  
**From:** South, Peter  
**Sent:** Tue 1/9/2018 3:41:55 PM  
**Subject:** FW: Briefing materials for Wednesday's pre-brief with Peter on RH 1st planning period.  
FIP Table for Wehrum Briefing 1\_9\_2018\_toVera\_v3.docx

I'll print this out for you.

**From:** Johnson, Yvonne W  
**Sent:** Tuesday, January 09, 2018 10:40 AM  
**To:** South, Peter <South.Peter@epa.gov>  
**Cc:** Long, Pam <Long.Pam@epa.gov>; Wood, Anna <Wood.Anna@epa.gov>  
**Subject:** Briefing materials for Wednesday's pre-brief with Peter on RH 1st planning period.

Attached are materials to be used with Peter tomorrow, Jan 10, at 2:30.

---

Thank you,

**Yvonne W. Johnson**

Special Assistant to the Director

Air Quality Policy Division

Office of Air Quality Planning & Standards

U.S. Environmental Protection Agency

919-541-3921

[johnson.yvonnew@epa.gov](mailto:johnson.yvonnew@epa.gov)

**Regional Haze: Overview of First Implementation Period Actions  
January 11, 2018**

**Purpose:** To provide an overview of EPA actions on regional haze SIPs for the first implementation period and ongoing activities related to EPA actions on those SIPs.

**Background:**

- Regional haze SIPs covering the first implementation period were due to EPA in December 2007.
- In 2009, EPA issued Findings of Failure to Submit for 37 states, D.C., and the Virgin Islands.
- In 2011, EPA entered into a set of consent decrees to take action on the 52 required plans (either SIP approval or FIP). Deadlines were throughout 2012, though several were subsequently extended.

**Summary of actions** (see Appendix A for more detail and Appendix B for a summary map):

- Number of Required Plans: 52 (50 states, D.C., and the Virgin Islands)
  - 35 SIPs fully approved or approved except for the CSAPR-better-than-BART FIP
    - 2 partially remanded<sup>1</sup>
  - 13 SIPs partially approved/disapproved with partial FIPs<sup>2</sup>
    - 2 partially remanded<sup>3</sup>
    - 6 under litigation<sup>4</sup>
    - 1 partially remanded and also under litigation<sup>5</sup>
  - 3 full FIPs adopted when states could or did not submit SIPs
    - 1 partially remanded<sup>6</sup>
  - 1 state plan is not yet complete<sup>7</sup>

## Ex. 5 - Deliberative Process

<sup>1</sup> Colorado and Pennsylvania

<sup>2</sup> Arizona, Arkansas, Michigan, Minnesota, Nebraska, Nevada, New York, North Dakota, Oklahoma, Texas, Utah, Washington, Wyoming

<sup>3</sup> North Dakota and Nebraska

<sup>4</sup> Arkansas, Michigan/Minnesota, New York, Utah, Wyoming

<sup>5</sup> Texas

<sup>6</sup> Montana

<sup>7</sup> Mississippi



## Ex. 5 - Deliberative Process

- Since 2014, source-specific FIP requirements have been partially replaced by SIPs in 4 states (AZ, NM, NY, OK). Additionally, since 2015, EPA has revised FIP requirements in 5 states (AZ, MI, MN, MT, NV). These revisions resulted from either formal reconsiderations or at the request of states or sources.
- Court decisions upheld challenged aspects of EPA's SIP/FIP actions in AZ, MI, MN, Navajo Nation (Four Corners and Navajo Power Plants), ND, NE, NM, NV, OK, UT, and WY.
- Courts also have remanded (sometimes with vacatur) challenged aspects of EPA SIP approval and FIP actions in CO (voluntary remand pursuant to settlement), NE (partial voluntary remand), ND (partial remand with vacatur), MT (partial remand with vacatur), PA (partial remand with vacatur), and TX (voluntary remand).

## Ex. 5 - Deliberative Process

- Courts also have stayed the FIPs for UT and WY but have not ruled on the merits of these actions.

Plans/actions with upcoming activities and deadlines:

## Ex. 5 - Deliberative Process

Appendix A. Summary of Ongoing Activities Related to First Implementation Period SIPs/FIPs

State	Past EPA action on state plan	Reason for past EPA action	Status	Current and upcoming activities
FIPs with Current Activity				
Arkansas	Partial disapproval with subsequent partial FIP (11 units at 7 facilities) requiring NOx combustion controls, scrubbers/scrubber upgrades and minor provisions for EGUs permitted to burn fuel oil.	BART and RP/LTS; failure to follow BART Guidelines; failure to consider the 4 factors when setting RPGs (relying on the RPGs being below the URP)		
Texas	Partial disapproval in 2012 with 2 recent partial FIP actions: 1) RP – required source-specific SO <sub>2</sub> controls on 15 units at 8 sources 2) BART – intrastate SO <sub>2</sub> trading program and CSAPR for NOx	BART and RP/LTS; reliance on CAIR for BART, failure to consider reasonable progress controls for important contributors to impairment, incomplete interstate consultation		

Ex. 5 - Deliberative Process

		the RP FIP action.	
Multiple states (Georgia, Indiana, Iowa, Kentucky, Michigan, Missouri, Nebraska, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia)	Approval or disapproval of other, minor aspects  Partial FIPs allow EGUs to rely on CSAPR participation in lieu of source-specific BART	BART, reliance on the subsequently remanded and replaced CAIR	
Michigan/Minnesot a	Partial disapproval with partial FIP (15 units at 7 facilities) requiring NOx controls and use of low sulfur coal or natural gas.	BART, failure to follow BART Guidelines, unsupported estimates of potential emissions reductions from candidate controls	

**Ex. 5 - Deliberative Process**

			challenges were in mid-November.	
Nebraska	Partial disapproval with partial FIP	BART and RP/LTS; failure to follow BART Guidelines and unsupported estimates of emissions reductions from potential controls; RP/LTS disapproval due to BART disapproval	<b>Ex. 5 - Deliberative Process</b>	
North Dakota	Partial disapproval with partial FIP (4 units at 2 sources) requiring 2 SNCR and 2 NOx combustion controls	BART and RP; failure to follow BART Guidelines; used current background rather than natural to calculate visibility benefits; incorrect quantification of visibility benefits and unreasonable rejection		

		of highly inexpensive RP controls	<b>Ex. 5 - Deliberative Process</b>  we have committed to a study
New York	Partial disapproval with partial FIP (3 units at 2 sources) requiring optimization of existing NOx controls, scrubbers/natural gas combustion, and low sulfur fuel oil	BART, unreasonable estimates of emissions reductions and visibility benefits, disagreement about the outcome of the BART determination	
Montana	Full FIP (7 units at 5 facilities) requiring SNCR, scrubber upgrades, and NSCR on compressor stations	State did/could not submit a SIP	
Utah	Partial disapproval with partial FIP (4 units at 2 facilities) requiring 4 SCR	Lack of a clear weight of evidence in support of a BART alternative.	

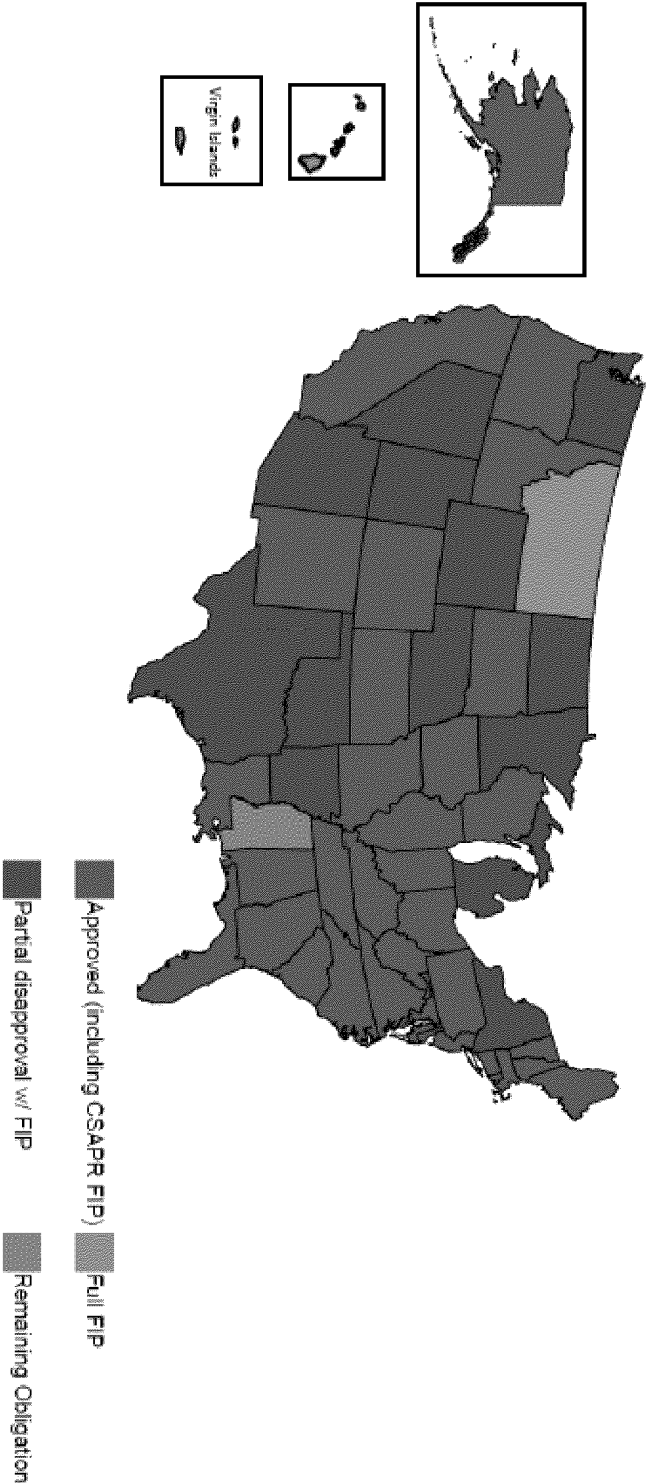
			<div>Ex. 5 - Deliberative Process</div>	
Wyoming	Partial FIP (5 units at 3 facilities) requires SCR; one unit has the option to shut down in 2027 rather than install SCR	BART; failure to follow BART Guidelines, deficiencies in the cost and visibility benefit analyses.		
SIP Submission Obligation Remaining				
Mississippi	Limited disapproval. No action to complete the regional haze plan to date.	EPA issued a limited disapproval for reliance on CAIR.	Remaining obligation	Ex. 5 - Deliberative Process
FIPs with No Current Activity and/or No Projected Activity				
Arizona	Partial disapproval with partial FIP (6 facilities) requiring SNCR, DSI, requiring SNCR, DSI,	BART and RP/LTS; failure to follow BART Guidelines,	Petitions for judicial review denied	Ex. 5 - Deliberative Process

	lower sulfur fuel, existing controls, and work practice standards at the various units.  *Original FIP included FIP provisions for 3 EGU facilities, but subsequent SIP revisions have replaced those FIP requirements.	insufficient explanation for BART decisions, unreasonable calculations of visibility benefits, failure to conduct four-factor analyses for significant source categories, failure to establish enforceable emission limits.	Original FIP provisions have been replaced by SIP provisions for several EGUs (Apache, Coronado, Cholla).  EPA has revised FIP provisions for lime and cement kilns, at the request of source owners.	<div> <div>Ex. 5 - Deliberative Process</div> </div>
Hawaii	Full FIP requiring an SO <sub>2</sub> cap on 3 fuel oil fired EGUs	State did/could not submit a SIP	Implementation ongoing	
Four Corners Power Plant	Tribal FIP requires SCR on 5 units but also offers an alternative based on shut down of 3 units	No TIP submitted	Implementation ongoing (facility owners have elected to close 3 units rather than install SCR)	
Navajo Generating Station	Tribal FIP (3 units) requires a lifetime cap on NOx emissions and offers several operating scenarios to achieve the cap	No TIP submitted	Petitions for judicial review denied	
Nevada	Partial disapproval with partial FIP (1 unit at one source) requiring SNCR	BART; unreasonable estimates of emission reductions from candidate technology	Petitions for judicial review dismissed	
Oklahoma	Partial disapproval with partial FIP (4 units at 2 facilities) requiring dry scrubbers  Original FIP included 6	BART; failure to follow the BART Guidelines, unsupported cost estimates	Petitions for judicial review denied	

	units, but an approved SIP revision replaced the FIP requirements.			
Washington	Partial disapproval with partial FIP (3 facilities) requiring existing controls and new monitoring/recordkeeping requirements	BART; subject to BART determination error, unsupported cost analyses	Implementation ongoing	
Virgin Islands	Full FIP requiring existing controls	Territory did/could not submit a SIP	Implementation ongoing	
<b>SIP Approval with Ongoing Litigation-Related Activity</b>				
Colorado	Approval	State's analysis and determination met BART Guidelines and other rule requirements	Approval remanded	<div>Ex. 5 - Deliberative Process</div>
			Under the terms of a settlement agreement, the state submitted a SIP revision including options for meeting BART at the Craig station. Options include shutdown or conversion to natural gas.	
Pennsylvania	Approval, with CSAPR as better-than-BART FIP	Found the state's errors to be harmless (i.e., would not change the final decisions).	Approval remanded and vacated	

Appendix B: Status of Regional Haze SIP and FIP actions (First Implementation Period, January 2018)





**To:** Koerber, Mike[Koerber.Mike@epa.gov]  
**Cc:** Santiago, Juan[Santiago.Juan@epa.gov]  
**From:** Vetter, Cheryl  
**Sent:** Thur 1/4/2018 10:14:18 PM  
**Subject:** FW: this is what was sent forward for today's 1/1  
Title V Evaluation and Fee Guidance status 12-6-2017 Ver. 2.docx  
One on One 12-12-17.docx

Mike –

## Ex. 5 - Deliberative Process

Thanks. I am in tomorrow, and Juan is back on Monday if we need to discuss.

Cheryl Vetter  
U.S. Environmental Protection Agency  
OAQPS/AQPD/OPG (C504-03)  
Research Triangle Park, NC 27711  
Phone (919) 541-4391 Fax (919) 541-5509

Note: Positions or views expressed here do not represent official EPA policy.

**From:** Johnson, Yvonne W  
**Sent:** Tuesday, December 12, 2017 9:15 AM  
**To:** Wood, Anna <Wood.Anna@epa.gov>; Brachtel, Megan <Brachtel.Megan@epa.gov>; Jones, Rhea <Jones.Rhea@epa.gov>; Rao, Raj <Rao.Raj@epa.gov>; Vetter, Cheryl <Vetter.Cheryl@epa.gov>; Kornylak, Vera S. <Kornylak.Vera@epa.gov>; Ling, Michael <Ling.Michael@epa.gov>; Mathias, Scott <Mathias.Scott@epa.gov>; Santiago, Juan <Santiago.Juan@epa.gov>  
**Cc:** Long, Pam Long.Pam@epa.gov  
**Subject:** this is what was sent forward for today's 1/1

This week's 1/1 to occur at 9:30 today.

---

Thank you,

**Yvonne W. Johnson**

Special Assistant to the Director

Air Quality Policy Division

Office of Air Quality Planning & Standards

U.S. Environmental Protection Agency

919-541-3921

[johnson.yvonnew@epa.gov](mailto:johnson.yvonnew@epa.gov)

AQPD:

## **Ex. 5 - Deliberative Process**

# **Ex. 5 - Deliberative Process**

# **Ex. 5 - Deliberative Process**

**TABLE**

EPA Region	State	ISIP Element	NAAQS	Agency Action	Status
1	Massachusetts	PSD Permitting	2012 PM2.5	Proposed Disapproval	Under regional review
1	Connecticut	PSD Permitting	2012 PM2.5	Proposed Disapproval	Under regional review
2	New Jersey	PSD Permitting	2008 Ozone	Proposed Disapproval	Pending at OP
2	New Jersey	PSD Permitting	2008 Lead	Proposed Disapproval	Pending at OP
2	New Jersey	PSD Permitting	2010 NO2	Proposed Disapproval	Pending at OP
2	New Jersey	PSD Permitting	2010 SO2	Proposed Disapproval	Pending at OP
2	New Jersey	PSD Permitting	2011 CO	Proposed Disapproval	Pending at OP
2	New Jersey	PSD Permitting	2012 PM2.5	Proposed Disapproval	Pending at OP
9	Arizona	PSD Permitting	2012 PM2.5	Proposed Disapproval	Under regional review
9	Nevada	PSD Permitting and Prong 4 Visibility Transport	2012 PM2.5	Proposed Disapproval	Under regional review

**Pending Regional Proposed Disapprovals for Certain Infrastructure SIP Elements:**

**To:** Koerber, Mike[Koerber.Mike@epa.gov]  
**Cc:** Wood, Anna[Wood.Anna@epa.gov]; Johnson, Yvonne W[Johnson.Yvonnew@epa.gov];  
Lorang, Phil[Lorang.Phil@epa.gov]  
**From:** Kornylak, Vera S.  
**Sent:** Wed 10/18/2017 7:31:06 PM  
**Subject:** FW: FIP Request - Regional Review Requested  
[FIP count since March 1 2017 v2.docx](#)  
[FY2016-2018 FIP counts full list v4.docx](#)  
[FIP list since March 1 2017 v2.docx](#)

Hi Mike: just as an FYI, below is the email I sent to Idalia with the latest/greatest FIP information. I intend to provide you with a high level roll up that will specifically address the key data requested, but wanted to share with you the background on the information I'll be drawing from just so you can get a sense of how this is shaping up. This is not our final response to you – just an interim check in so you can see how we're doing on the request.

After some consideration, I decided not to include anything on CSAPR (beyond identifying the withdrawal of TX was a recent FIP action) as well as PSD delegated programs since that seems to go beyond the scope of the request. I tried to just generate information that would be responsive.

I'm QA/QCing this with the regions and then should be able to provide you the relevant info by Friday.

Please note that Phil Lorang did the heavy lift on this -so special thanks to Phil.

Vera

Vera Kornylak || Senior Policy Advisor

Air Quality Policy Division || OAQPS

919-541-4067 || [kornvlak.vera@epa.gov](mailto:kornvlak.vera@epa.gov)

*This message, including attachments, contains information that may be deliberative and confidential, and may be protected by attorney work-product, attorney-client or other applicable privileges. Further, this message, including attachments, may be*



*exempt from disclosure by the U.S. EPA under applicable law. This message, including attachments, is intended to be conveyed only to the named recipient(s). If you received this message in error, or if you are not the intended recipient, please notify the sender listed above and delete the message from your system immediately. The unauthorized use, dissemination, distribution or reproduction of this message, including attachments, by unintended recipients is prohibited and may be unlawful.*

**From:** Kornylak, Vera S.  
**Sent:** Wednesday, October 18, 2017 3:28 PM  
**To:** Perez, Idalia <Perez.Idalia@epa.gov>  
**Cc:** Wood, Anna <Wood.Anna@epa.gov>  
**Subject:** FIP Request - Regional Review Requested

Idalia:

attached please find 3 documents that relate to a recent request from Ryan Jackson re: FIPs. The request was for the following:

The number of FIPs issued since Mar. 1, 2017, including proposal and final actions. Of those, how many were modifications of existing FIPs, FIPs withdrawn, and/or FIPs turned into SIPs? In addition, he would like to know the state and the pollutant/program at issue.

Through some research and building on a previous request in mid-Sept., we developed the attached three documents. We intend to respond to the request with the two documents titled: FIP count since March 1 2017 v2 and FIP list since March 1, 2017 v2. The third document, FY 2016-2018 count ... is one that we've now just started keeping almost as a database for future requests.

I'm thinking you could send all three to regions to make edits and confirm that they are correctly representing FIP actions from the regional perspective. The information is due by Friday so I'm thinking if Regions can get back with me by COB Thursday, that should give me enough time to turn everything around by Friday. Again, I apologize for the short turnaround, but hopefully this will be a quick review considering we're just updating from the more recent request.

Please let me know if you have any questions.

Vera

Vera Kornylak || Senior Policy Advisor

Air Quality Policy Division || OAQPS

919-541-4067 || [kornylak.vera@epa.gov](mailto:kornylak.vera@epa.gov)

*This message, including attachments, contains information that may be deliberative and confidential, and may be protected by attorney work-product, attorney-client or other applicable privileges. Further, this message, including attachments, may be exempt from disclosure by the U.S. EPA under applicable law. This message, including attachments, is intended to be conveyed only to the named recipient(s). If you received this message in error, or if you are not the intended recipient, please notify the sender listed above and delete the message from your system immediately. The unauthorized use, dissemination, distribution or reproduction of this message, including attachments, by unintended recipients is prohibited and may be unlawful.*

## Federal Implementation Plan-Related Actions since 1/1/2016

	FY of Final Action	FR publication dates	Affected State/Source	CAA Program	Description of Final Action
<b>Finalized FIP Actions</b>					
a	2016	<i>Proposal</i> – Jan. 13, 2015 <i>Final</i> – Jan 5, 2016	Texas – Multiple Power Plants	Regional Haze - Reasonable Progress	<b>New FIP</b> (since stayed and remanded by the 5 <sup>th</sup> Circuit)
b	2016	<i>Proposal</i> – Oct. 27, 2015 <i>Final</i> – March 7, 2016	Minnesota – Sherco Power Plant	Regional Haze - RAVI	<b>New FIP</b> , to implement outside parties' settlement agreement related to RAVI certification
c	2016	<i>Proposal</i> – Oct. 22, 2015 <i>Final</i> – April 12, 2016	Michigan – Taconite plants	Regional Haze - BART	<b>Revised FIP</b> , upon source-requested reconsideration of 2013 FIP
d	2016	<i>Proposal</i> – Oct. 22, 2015 <i>Final</i> – April 12, 2016	Minnesota – Taconite Plants	Regional Haze - BART	<b>Revised FIP</b> , upon source-requested reconsideration of 2013 FIP
e	2016	<i>Proposal</i> – Mar. 31, 2015 <i>Final</i> – April 13, 2016	Arizona – Coronado and Cholla Power Plants	Regional Haze - BART	<b>Revised FIP</b> provisions for Coronado, upon source-requested reconsideration of 2013 FIP; removal of affirmative defense for malfunctions for both sources
f	2016	<i>Proposal</i> – Sept. 18, 2015 <i>Final</i> – June 3, 2016	Minor sources in Indian country	New Source Review – Minor sources	<b>New minor source permitting rule</b> for oil and gas in Indian country
g	2016	<i>Proposal</i> – Jan. 14, 2016 <i>Final</i> – July 5, 2016	Utah – Hunter and Huntington Power Plant	Regional Haze - BART	<b>New BART FIP</b>
h	2016	<i>Proposal</i> – Nov. 16, 2015 <i>Final</i> – Sept 7, 2016	22 states – All Power Plants in each state	Interstate transport for ozone NAAQS – Cross State Air Pollution Rule (CSAPR)	<b>Revised CSAPR FIP</b> for 22 states <sup>1</sup> <b>Withdrawal</b> of CSAPR FIP for Florida
i	2016	<i>Proposal</i> – Apr. 8, 2015 <i>Final</i> – Sept 27, 2016	Arkansas – Multiple sources	Regional Haze – BART and Reasonable Progress	<b>New FIP</b>

<sup>1</sup> Originally, 23 states were subject to the 2011 CSAPR FIP. Some of these states subsequently adopted equivalent SIP provisions and the 2011 CSAPR FIP ceased to apply to them, without any new EPA action to modify the FIP. In this 2016 CSAPR Update, Florida was removed from the CSAPR FIP. The remaining 22 states became subject to the updated CSAPR FIP even if they had previously been automatically removed from the 2011 FIP. If/when these states adopt new SIP provisions equivalent to the 2016 CSAPR FIP, that FIP will automatically cease to apply to them.

j	2017	<i>Proposal – June 30, 2016 Final – Nov 21, 2016</i>	Arizona – Clarkdale and Rillito cement kilns	Regional Haze – Reasonable Progress	<b>Revised</b> FIP to substitute enhanced reporting for previous requirement for a technology demonstration, upon source-requested reconsideration
k	2017	<i>Proposal – Sept. 23, 2016 Final – Mar. 10, 2017</i>	California – Ventura County Air Quality Management District	New Source Review – PSD for all pollutants	<b>Withdrawal</b> of FIP, upon SIP approval
l	2017	<i>Proposal – Dec. 22, 2016 Final – Mar. 22, 2017</i>	California – N. Coast Unified Air Quality Management District	New Source Review – PSD for PM <sub>2.5</sub>	New FIP
m	2017	<i>Proposal – July 19, 2016 Final – Mar. 27, 2017</i>	AZ – Cholla Power Plant	Regional haze BART	<b>Withdrawal</b> of FIP, upon SIP approval
n	2017	<i>Proposal – Jan. 19, 2017 Final – Apr. 10, 2017</i>	Washington – Areas subject to authority of local clean air agencies	New Source Review - PSD	<b>Revision</b> of the Washington NSR FIP as applicable to these areas to narrow the sources and pollutants to which the FIP is applicable, upon approval of new SIP provisions
o	2017	<i>Proposal – Mar. 22, 2017 Final – May 30, 2017</i>	Washington – Areas subject to authority of Washington DOE	New Source Review - PSD	<b>Revision</b> of the Washington NSR FIP as applicable to these areas to narrow the sources and pollutants to which the FIP is applicable, upon approval of new SIP provisions
p	2017	<i>Proposal – Apr. 14, 2017 Final – Sept. 12, 2017</i>	Montana – Trident-Oldcastle cement kiln, Blaine County #1 Compressor Station	Regional Haze - BART	<b>Revised</b> FIP for Trident-Oldcastle, upon source-requested reconsideration  <b>Withdrawal</b> of FIP for Blaine County #1 Compressor Station, to correct error in having earlier promulgated a FIP based on an incorrect fact

q	2017	<i>Proposal – Nov. 10, 2016 Final – Sept. 29, 2017</i>	Texas – CSAPR	Interstate transport for PM <sub>2.5</sub> NAAQS	<b>Withdrawal</b> of 2016 CSAPR FIP for SO <sub>2</sub> and annual NO <sub>x</sub> for Texas, due to remand. Ozone-season NO <sub>x</sub> FIP remains in place.
r	2018	<i>Proposal – Apr. 27, 2017 Final – Oct. 10, 2017</i>	Arizona – Coronado Power Plant	Regional Haze - BART	<b>Withdrawal</b> of FIP, due to SIP approval
s	2018	<i>Proposal – Jan. 4, 2017 Final – Oct. 17, 2017</i>	Texas – Multiple Power Plants	Regional Haze - BART	New FIP
t	2018	<i>Proposal – June 22, 2017 Final – Oct. 20, 2017</i>	Nevada – Mohave Power Plant	Regional Haze - RAVI	<b>Withdrawal</b> of FIP, due to state-required shutdown and demolition of the source
<b>Proposed FIP Actions Not Yet Finalized</b>					
u		<i>Proposal – Dec 2, 2016</i>	Tribal – Four Corners Power Plant	Regional Haze	<b>Proposed revision</b> of FIP to incorporate 2015 consent decree requirements, align with 2016 SSM Policy, and facilitate Title V permit renewal
v		<i>Proposal – Mar. 22, 2017 Final – May 30, 2017</i>	Washington	New Source Review - PSD	<b>Revision</b> of FIP to narrow the sources and pollutants to which the FIP is applicable
w		<i>Proposal – May 10, 2017</i>	New York – Danskammer Power Plant	Regional Haze – BART	<b>Proposed withdrawal</b> of FIP, due to proposed SIP approval
x		<i>Proposal – July 13, 2017</i>	Arkansas – White Bluff, Flint Creek, and Independence Power Plants	Regional Haze – BART and Reasonable Progress	<b>Proposed revision</b> of FIP to extend compliance dates for NO <sub>x</sub> BART and reasonable progress emission limits, upon source-requested reconsideration
y		<i>Proposal – Sept 11, 2017</i>	Arkansas – White Bluff, Flint Creek, and Independence Power Plants	Regional Haze – BART and Reasonable Progress	<b>Proposed withdrawal</b> of FIP of NO <sub>x</sub> BART and reasonable progress emission limits, due to proposed SIP approval



**To:** Koerber, Mike[Koerber.Mike@epa.gov]; Edwards, Chebryll[Edwards.Chebryll@epa.gov]  
**From:** Mckelvey, Laura  
**Sent:** Thur 9/7/2017 5:50:24 PM  
**Subject:** RE: Please send all Thursday briefing material for Sarah's book by 4:00 pm today

Mike are sitting in on this? I was going to call from my office if no one else is participating.

**From:** Koerber, Mike  
**Sent:** Wednesday, September 06, 2017 5:26 PM  
**To:** Edwards, Chebryll <Edwards.Chebryll@epa.gov>; Mckelvey, Laura <Mckelvey.Laura@epa.gov>  
**Subject:** FW: Please send all Thursday briefing material for Sarah's book by 4:00 pm today

Do you know about this meeting?

**From:** Hamlin, Tim  
**Sent:** Wednesday, September 06, 2017 4:48 PM  
**To:** Koerber, Mike <Koerber.Mike@epa.gov>  
**Subject:** FW: Please send all Thursday briefing material for Sarah's book by 4:00 pm today

Hi Mike, who should we contact to get RTP connected to the VTC?

**From:** Dugan, Brett  
**Sent:** Wednesday, September 06, 2017 11:52 AM  
**To:** Cyran, Carissa <Cyran.Carissa@epa.gov>; Hamlin, Tim <Hamlin.Tim@epa.gov>  
**Cc:** Khatibi, Mehrdad <khatibi.mehrdad@epa.gov>  
**Subject:** RE: Please send all Thursday briefing material for Sarah's book by 4:00 pm today

Carissa,

Thank you for your help coordinating. Please find attached Region 10's briefing paper for the 2:00pm briefing on the Kalispel Tribe CAA Class I Redesignation Proposal.

Regarding VTC connectivity: we have reserved the following room with VTC capabilities: R10Sea-Room-15Alder/R10-Rooms-Service-Center

Who in RTP should I contact to add this room to the VTC?

Thank you,

Brett

Brett S. Dugan

Office of Regional Counsel

United States Environmental Protection Agency, Region 10

Mail Stop: ORC-113

P: (206) 553-8562

F: (206) 553-1762

[Dugan.Brett@epa.gov](mailto:Dugan.Brett@epa.gov)

***Confidential communication for internal deliberations only; attorney-client privilege, attorney work product and/or enforcement privilege; do not distribute outside EPA or DOJ***



**From:** Cyran, Carissa

**Sent:** Wednesday, September 06, 2017 11:43 AM

**To:** Hamlin, Tim <[Hamlin.Tim@epa.gov](mailto:Hamlin.Tim@epa.gov)>

**Cc:** Khatibi, Mehrdad <[khatibi.mehrdad@epa.gov](mailto:khatibi.mehrdad@epa.gov)>; Dugan, Brett <[Dugan.Brett@epa.gov](mailto:Dugan.Brett@epa.gov)>

**Subject:** RE: Please send all Thursday briefing material for Sarah's book by 4:00 pm today

Great, thank you!

**From:** Hamlin, Tim

**Sent:** Wednesday, September 06, 2017 2:37 PM

**To:** Cyran, Carissa <[Cyran.Carissa@epa.gov](mailto:Cyran.Carissa@epa.gov)>; Koerber, Mike <[Koerber.Mike@epa.gov](mailto:Koerber.Mike@epa.gov)>; South, Peter <[South.Peter@epa.gov](mailto:South.Peter@epa.gov)>; Iglesias, Amber <[Iglesias.Amber@epa.gov](mailto:Iglesias.Amber@epa.gov)>; Henigin, Mary <[Henigin.Mary@epa.gov](mailto:Henigin.Mary@epa.gov)>; Rush, Alan <[Rush.Alan@epa.gov](mailto:Rush.Alan@epa.gov)>; Clarke, Deirdre <[clarke.deirdre@epa.gov](mailto:clarke.deirdre@epa.gov)>; Krieger, Jackie <[Krieger.Jackie@epa.gov](mailto:Krieger.Jackie@epa.gov)>; Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Burch, Julia <[Burch.Julia@epa.gov](mailto:Burch.Julia@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Childers, Pat <[Childers.Pat@epa.gov](mailto:Childers.Pat@epa.gov)>

**Cc:** Khatibi, Mehrdad <[khatibi.mehrdad@epa.gov](mailto:khatibi.mehrdad@epa.gov)>; Dugan, Brett <[Dugan.Brett@epa.gov](mailto:Dugan.Brett@epa.gov)>

**Subject:** RE: Please send all Thursday briefing material for Sarah's book by 4:00 pm today

Hi Cyran, I think R10 is responsible for providing the briefing materials. We expect to get them to you prior to 4:00 your time today. Please look for a message from Mehrdad Khatibi or Brett Dugan. Thx!

**From:** Cyran, Carissa

**Sent:** Wednesday, September 06, 2017 6:33 AM

**To:** Koerber, Mike <[Koerber.Mike@epa.gov](mailto:Koerber.Mike@epa.gov)>; South, Peter <[South.Peter@epa.gov](mailto:South.Peter@epa.gov)>; Iglesias, Amber <[Iglesias.Amber@epa.gov](mailto:Iglesias.Amber@epa.gov)>; Henigin, Mary <[Henigin.Mary@epa.gov](mailto:Henigin.Mary@epa.gov)>; Rush, Alan <[Rush.Alan@epa.gov](mailto:Rush.Alan@epa.gov)>; Clarke, Deirdre <[clarke.deirdre@epa.gov](mailto:clarke.deirdre@epa.gov)>; Krieger, Jackie <[Krieger.Jackie@epa.gov](mailto:Krieger.Jackie@epa.gov)>; Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Burch, Julia <[Burch.Julia@epa.gov](mailto:Burch.Julia@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Hamlin, Tim <[Hamlin.Tim@epa.gov](mailto:Hamlin.Tim@epa.gov)>; Childers, Pat <[Childers.Pat@epa.gov](mailto:Childers.Pat@epa.gov)>

**Subject:** Please send all Thursday briefing material for Sarah's book by 4:00 pm today

Good morning,

Please send all Thursday briefing material for Sarah's book by 4:00 pm today. Sarah currently has the following meetings scheduled tomorrow –

**10:00 am** OTAQ Fuels/RFS Weekly (**OTAQ**)

**11:00 am** Entergy Meeting (**OAQPS**)

**12:00 pm** Hunter Title V Petition (**OAQPS**)

**1:30 pm** CPPD Update (**OAP**)

**2:00 pm** Briefing on Kalispel Tribe CAA Class I Redesignation Proposal (**R10**)

**3:00 pm** Regional Haze Rule Litigation (**OAQPS**)

Thank you,

Carissa

**To:** Koerber, Mike[Koerber.Mike@epa.gov]; Edwards, Chebryll[Edwards.Chebryll@epa.gov]  
**From:** Mckelvey, Laura  
**Sent:** Thur 9/7/2017 12:27:48 PM  
**Subject:** RE: Please send all Thursday briefing material for Sarah's book by 4:00 pm today

Hi Mike,

This is a meeting that Region 10 set up. It's the first Class I redesignation since Forest County Potawatomi and the first under this Administration so they wanted to make sure Sarah was in the loop and to inform the leadership as appropriate.

There isn't much in the way of political implications. The state is on board. The local county and city is somewhat less so but I think with more outreach they will better understand the implications or lack there of.

Laura

**From:** Koerber, Mike  
**Sent:** Wednesday, September 06, 2017 5:26 PM  
**To:** Edwards, Chebryll <Edwards.Chebryll@epa.gov>; Mckelvey, Laura <Mckelvey.Laura@epa.gov>  
**Subject:** FW: Please send all Thursday briefing material for Sarah's book by 4:00 pm today

Do you know about this meeting?

**From:** Hamlin, Tim  
**Sent:** Wednesday, September 06, 2017 4:48 PM  
**To:** Koerber, Mike <Koerber.Mike@epa.gov>  
**Subject:** FW: Please send all Thursday briefing material for Sarah's book by 4:00 pm today

Hi Mike, who should we contact to get RTP connected to the VTC?

**From:** Dugan, Brett

**Sent:** Wednesday, September 06, 2017 11:52 AM

**To:** Cyran, Carissa <Cyran.Carissa@epa.gov>; Hamlin, Tim <Hamlin.Tim@epa.gov>

**Cc:** Khatibi, Mehrdad <khatibi.mehrdad@epa.gov>

**Subject:** RE: Please send all Thursday briefing material for Sarah's book by 4:00 pm today

Carissa,

Thank you for your help coordinating. Please find attached Region 10's briefing paper for the 2:00pm briefing on the Kalispel Tribe CAA Class I Redesignation Proposal.

Regarding VTC connectivity: we have reserved the following room with VTC capabilities: R10Sea-Room-15Alder/R10-Rooms-Service-Center

Who in RTP should I contact to add this room to the VTC?

Thank you,

Brett

Brett S. Dugan

Office of Regional Counsel

United States Environmental Protection Agency, Region 10

Mail Stop: ORC-113

P: (206) 553-8562

F: (206) 553-1762

[Dugan.Brett@epa.gov](mailto:Dugan.Brett@epa.gov)

***Confidential communication for internal deliberations only; attorney-client privilege, attorney work product and/or enforcement privilege; do not distribute outside EPA or DOJ***

**From:** Cyran, Carissa

**Sent:** Wednesday, September 06, 2017 11:43 AM

**To:** Hamlin, Tim <[Hamlin.Tim@epa.gov](mailto:Hamlin.Tim@epa.gov)>

**Cc:** Khatibi, Mehrdad <[khatibi.mehrdad@epa.gov](mailto:khatibi.mehrdad@epa.gov)>; Dugan, Brett <[Dugan.Brett@epa.gov](mailto:Dugan.Brett@epa.gov)>

**Subject:** RE: Please send all Thursday briefing material for Sarah's book by 4:00 pm today

Great, thank you!

**From:** Hamlin, Tim

**Sent:** Wednesday, September 06, 2017 2:37 PM

**To:** Cyran, Carissa <[Cyran.Carissa@epa.gov](mailto:Cyran.Carissa@epa.gov)>; Koerber, Mike <[Koerber.Mike@epa.gov](mailto:Koerber.Mike@epa.gov)>; South, Peter <[South.Peter@epa.gov](mailto:South.Peter@epa.gov)>; Iglesias, Amber <[Iglesias.Amber@epa.gov](mailto:Iglesias.Amber@epa.gov)>; Henigin, Mary <[Henigin.Mary@epa.gov](mailto:Henigin.Mary@epa.gov)>; Rush, Alan <[Rush.Alan@epa.gov](mailto:Rush.Alan@epa.gov)>; Clarke, Deirdre <[clarke.deirdre@epa.gov](mailto:clarke.deirdre@epa.gov)>; Krieger, Jackie <[Krieger.Jackie@epa.gov](mailto:Krieger.Jackie@epa.gov)>; Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Burch, Julia <[Burch.Julia@epa.gov](mailto:Burch.Julia@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Childers, Pat <[Childers.Pat@epa.gov](mailto:Childers.Pat@epa.gov)>

**Cc:** Khatibi, Mehrdad <[khatibi.mehrdad@epa.gov](mailto:khatibi.mehrdad@epa.gov)>; Dugan, Brett <[Dugan.Brett@epa.gov](mailto:Dugan.Brett@epa.gov)>

**Subject:** RE: Please send all Thursday briefing material for Sarah's book by 4:00 pm today

Hi Cyran, I think R10 is responsible for providing the briefing materials. We expect to get them to you prior to 4:00 your time today. Please look for a message from Mehrdad Khatibi or Brett

Dugan. Thx!

**From:** Cyran, Carissa

**Sent:** Wednesday, September 06, 2017 6:33 AM

**To:** Koerber, Mike <[Koerber.Mike@epa.gov](mailto:Koerber.Mike@epa.gov)>; South, Peter <[South.Peter@epa.gov](mailto:South.Peter@epa.gov)>; Iglesias, Amber <[Iglesias.Amber@epa.gov](mailto:Iglesias.Amber@epa.gov)>; Henigin, Mary <[Henigin.Mary@epa.gov](mailto:Henigin.Mary@epa.gov)>; Rush, Alan <[Rush.Alan@epa.gov](mailto:Rush.Alan@epa.gov)>; Clarke, Deirdre <[clarke.deirdre@epa.gov](mailto:clarke.deirdre@epa.gov)>; Krieger, Jackie <[Krieger.Jackie@epa.gov](mailto:Krieger.Jackie@epa.gov)>; Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Burch, Julia <[Burch.Julia@epa.gov](mailto:Burch.Julia@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Hamlin, Tim <[Hamlin.Tim@epa.gov](mailto:Hamlin.Tim@epa.gov)>; Childers, Pat <[Childers.Pat@epa.gov](mailto:Childers.Pat@epa.gov)>

**Subject:** Please send all Thursday briefing material for Sarah's book by 4:00 pm today

Good morning,

Please send all Thursday briefing material for Sarah's book by 4:00 pm today. Sarah currently has the following meetings scheduled tomorrow –

**10:00 am** OTAQ Fuels/RFS Weekly (**OTAQ**)

**11:00 am** Entergy Meeting (**OAQPS**)

**12:00 pm** Hunter Title V Petition (**OAQPS**)

**1:30 pm** CPPD Update (**OAP**)

**2:00 pm** Briefing on Kalispel Tribe CAA Class I Redesignation Proposal (**R10**)

**3:00 pm** Regional Haze Rule Litigation (**OAQPS**)

Thank you,

Carissa

**To:** Alston, Lala[Alston.Lala@epa.gov]; Koerber, Mike[Koerber.Mike@epa.gov]; OAQPS WOPS[OAQPS\_WOPS@epa.gov]; OAR Briefings[OAR\_Briefings@epa.gov]  
**Cc:** Johnson, Yvonne W[Johnson.YvonneW@epa.gov]; Kornylak, Vera S.[Kornylak.Vera@epa.gov]; Ling, Michael[Ling.Michael@epa.gov]; Long, Pam[Long.Pam@epa.gov]; Mathias, Scott[Mathias.Scott@epa.gov]; Santiago, Juan[Santiago.Juan@epa.gov]; Wood, Anna[Wood.Anna@epa.gov]  
**From:** South, Peter  
**Sent:** Tue 2/28/2017 9:52:15 PM  
**Subject:** UT RH Litigation Activity and Options: Materials in prep for tomorrows meeting with Sarah  
[UT Briefing for Sarah Dunham 3\\_1\\_17.docx](#)

I have attached the draft briefing materials in prep for tomorrow's meeting with Sarah. Note that we anticipate adding one additional option and resending in the morning (we don't anticipate any other changes). Sorry for the inconvenience.

Please call me or Mike Koerber with any questions.

Thank you.

Pete South

OAR/OAQPS/IO

U.S. EPA

office: 919 541-5359

cell: 919 599-7213

Organizer Dunham, Sarah

Subject Briefing on Utah Regional Haze Litigation Activity and options for next steps

Location WJC-N 5400 + 1 866-299-3188; Participant Code: Ex. 6 - Personal Privacy

Start time Wed 3/1/2017 2:30 PM ☐ All day event

End time Wed 3/1/2017 3:00 PM

**To:** Dunham, Sarah; Lewis, Josh; Page, Steve; Koerber, Mike; Wood, Anna; Koi Elliott; Srinivasan, Gautam; Schmidt, Lorie; Greenglass, Nora; Morales, Monica  
**Cc:** Alston, Lala; Johnson, YvonneW; Long; Pam



UT RH Sarah D  
Mtg Request 2 2...

**Note:** Region 8 will be on the phone.



**To:** Morales, Monica[Morales.Monica@epa.gov]; Hestmark, Martin[Hestmark.Martin@epa.gov]; Koerber, Mike[Koerber.Mike@epa.gov]; Lorang, Phil[Lorang.Phil@epa.gov]; Anderson, Lea[anderson.lea@epa.gov]; Zenick, Elliott[Zenick.Elliott@epa.gov]; Laumann, Sara[Laumann.Sara@epa.gov]; Odendahl, Steve[Odendahl.Steve@epa.gov]; Worstell, Aaron[Worstell.Aaron@epa.gov]; Dobrahner, Jaslyn[Dobrahner.Jaslyn@epa.gov]; Fallon, Gail[fallon.gail@epa.gov]; Logan, Paul[Logan.Paul@epa.gov]; Schefski, Kenneth[Schefski.Kenneth@epa.gov]; Beaver, Melinda[Beaver.Melinda@epa.gov]; Werner, Christopher[Werner.Christopher@epa.gov]; Wood, Anna[Wood.Anna@epa.gov]  
**From:** Kornylak, Vera S.  
**Sent:** Tue 2/28/2017 9:43:33 PM  
**Subject:** UT briefing + 1b  
[UT Briefing for Sarah Dunham 2 28 17.docx](#)

Hi everyone, here's the latest w/ what we discussed. Thanks & talk to you all tomorrow.

Vera

**Vera Kornylak || Air Quality Policy Division || OAQPS**

**919-541-4067 || [kornylak.vera@epa.gov](mailto:kornylak.vera@epa.gov)**

-----Original Appointment-----

**From:** Morales, Monica

**Sent:** Monday, February 27, 2017 12:28 PM

**To:** Morales, Monica; Hestmark, Martin; Koerber, Mike; Lorang, Phil; Anderson, Lea; Zenick, Elliott; Laumann, Sara; Odendahl, Steve; Worstell, Aaron; Dobrahner, Jaslyn; Fallon, Gail; Logan, Paul; Schefski, Kenneth; Beaver, Melinda; Werner, Christopher; Wood, Anna; Kornylak, Vera S.

**Subject:** Utah Regional Haze Litigation Options Prep for OAR Briefing

**When:** Tuesday, February 28, 2017 2:00 PM-2:30 PM (UTC-07:00) Mountain Time (US & Canada).

**Where:** Cactus Room for Region 8

Call-in number 1-866-299-9141 Ex. 6 - Personal Privacy

**To:** Morales, Monica[Morales.Monica@epa.gov]; Hestmark, Martin[Hestmark.Martin@epa.gov]; Koerber, Mike[Koerber.Mike@epa.gov]; Lorang, Phil[Lorang.Phil@epa.gov]; Anderson, Lea[anderson.lea@epa.gov]; Zenick, Elliott[Zenick.Elliott@epa.gov]; Laumann, Sara[Laumann.Sara@epa.gov]; Odendahl, Steve[Odendahl.Steve@epa.gov]; Worstell, Aaron[Worstell.Aaron@epa.gov]; Dobrahner, Jaslyn[Dobrahner.Jaslyn@epa.gov]; Fallon, Gail[fallon.gail@epa.gov]; Logan, Paul[Logan.Paul@epa.gov]; Schefski, Kenneth[Schefski.Kenneth@epa.gov]; Beaver, Melinda[Beaver.Melinda@epa.gov]; Werner, Christopher[Werner.Christopher@epa.gov]; Wood, Anna[Wood.Anna@epa.gov]  
**From:** Kornylak, Vera S.  
**Sent:** Tue 2/28/2017 9:30:54 PM  
**Subject:** RE: Utah Regional Haze Litigation Options Prep for OAR Briefing  
[UT Briefing for Sarah Dunham 2 28 17.docx](#)

Hi Everyone: here's the paper as is now, with the bullet I added to represent the intervenors. I will forward this for the briefing tomorrow for now, with a note that there's another option in the works.

Vera

**Vera Kornylak || Air Quality Policy Division || OAQPS**

**919-541-4067 || [kornylak.vera@epa.gov](mailto:kornylak.vera@epa.gov)**

-----Original Appointment-----

**From:** Morales, Monica

**Sent:** Monday, February 27, 2017 12:28 PM

**To:** Morales, Monica; Hestmark, Martin; Koerber, Mike; Lorang, Phil; Anderson, Lea; Zenick, Elliott; Laumann, Sara; Odendahl, Steve; Worstell, Aaron; Dobrahner, Jaslyn; Fallon, Gail; Logan, Paul; Schefski, Kenneth; Beaver, Melinda; Werner, Christopher; Wood, Anna; Kornylak, Vera S.

**Subject:** Utah Regional Haze Litigation Options Prep for OAR Briefing

**When:** Tuesday, February 28, 2017 2:00 PM-2:30 PM (UTC-07:00) Mountain Time (US & Canada).

**Where:** Cactus Room for Region 8

Call-in number 1-866-299-9141 Ex. 6 - Personal Privacy

**To:** Koerber, Mike[Koerber.Mike@epa.gov]; Wood, Anna[Wood.Anna@epa.gov]  
**Cc:** Beaver, Melinda[Beaver.Melinda@epa.gov]; Werner, Christopher[Werner.Christopher@epa.gov]; Lorang, Phil[Lorang.Phil@epa.gov]  
**From:** Kornylak, Vera S.  
**Sent:** Tue 2/28/2017 6:26:05 PM  
**Subject:** UT RH briefing - draft  
Utah RH Supplemental Motion Briefing DRAFT Feb28 CLEAN.docx

Mike, Anna:

Attached is the current version of the UT RH briefing being reviewed one more time by OGC management. We are comfortable with this document and I believe R8 has reviewed it their feedback is included (as is ours). As you know, we have a 4pm to check in with R8 to confirm everyone's on the same page.

### **Ex. 5 - Deliberative Process**

It is also our understanding that this briefing will be led by OGC (Elliott) and ORC; however, we've been asked if we want to say a few words at the beginning to kick it off. I don't think it's necessary that we do that, but we can discuss at 4pm.

I'm told by Yvonne that she needs this paper by 4pm to send to Steve/Mike as the official. I'd like to wait until I get the official "final" from OGC, but I've let them know I'll need it by about 2:30. Lastly, OGC's intention is to brief from the first 2 pages. Kevin Minoli asked that the additional background be included.

Vera

**Vera Kornylak || Air Quality Policy Division || OAQPS**

**919-541-4067 || kornylak.vera@epa.gov**

**To:** Koerber, Mike[Koerber.Mike@epa.gov]  
**Cc:** Wood, Anna[Wood.Anna@epa.gov]; Jones, Rhea[Jones.Rhea@epa.gov]; Beaver, Melinda[Beaver.Melinda@epa.gov]; Lorang, Phil[Lorang.Phil@epa.gov]  
**From:** Kornylak, Vera S.  
**Sent:** Wed 2/22/2017 12:44:30 AM  
**Subject:** RH program update  
[RH program update for Administrator 2 21 17.docx](#)

Hi Mike: attached is the program update with some updated info and focusing only on the states identified in the power point + Ark. I also went through and tried to spell out acronyms and use less 'insider' language although I suspect the Administrator is familiar with all of the included acronyms.

A couple of things we wanted to separately note to you, and about which we may need to follow up in the am. **Ex. 5 - Attorney Client**

## **Ex. 5 - Attorney Client**

were not able to confirm status tonight. We have requested that OGC provide us with this information first thing in the am.

With regard to **Ex. 5 - Deliberative Process** that is more complicated and Rhea/Phil could probably share some insights with you tomorrow am if that's needed. In short, the issues associated with

### **Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process** Rhea/Phil can fill in the details, and it would be helpful to know exactly what R6 management mentioned on the call today.

Thanks,

Vera

Vera Kornylak || Air Quality Policy Division || OAQPS

919-541-4067 || [kornylak.vera@epa.gov](mailto:kornylak.vera@epa.gov)

**To:** Koerber, Mike[Koerber.Mike@epa.gov]  
**Cc:** Wood, Anna[Wood.Anna@epa.gov]; Johnson, Yvonne W[Johnson.YvonneW@epa.gov]; Brachtl, Megan[Brachtl.Megan@epa.gov]  
**From:** Kornylak, Vera S.  
**Sent:** Wed 1/24/2018 4:52:43 PM  
**Subject:** RE: SIP/FIP final info  
[FY2016-2018 FIP counts full list 1\\_24\\_2018.docx](#)

Hi Mike:

Looks like since Oct. 1, 2017, we have replaced (in whole or part) 4 FIPs with SIPs. Those are for:

AZ Coronado RH BART

NY Danskammer RH BART

GA Replace CSAPR FIP with SIP

SC Replace CSAPR FIP with SIP

Note: NV withdrawal of FIP due to facility shutdown not included bc was not replaced with SIP.

The table I'm using to count from is attached. That said, this was a quick effort and did not include any regional double check. There could be other CSAPR actions we missed. If you want us to spend more time we could run that down.

Vera

Vera Kornylak || Senior Policy Advisor

Air Quality Policy Division || OAQPS

919-541-4067 || [kornylak.vera@epa.gov](mailto:kornylak.vera@epa.gov)

*This message, including attachments, contains information that may be deliberative and confidential, and may be protected by*

*attorney work-product, attorney-client or other applicable privileges. Further, this message, including attachments, may be exempt from disclosure by the U.S. EPA under applicable law. This message, including attachments, is intended to be conveyed only to the named recipient(s). If you received this message in error, or if you are not the intended recipient, please notify the sender listed above and delete the message from your system immediately. The unauthorized use, dissemination, distribution or reproduction of this message, including attachments, by unintended recipients is prohibited and may be unlawful.*

**From:** Koerber, Mike

**Sent:** Tuesday, January 23, 2018 4:17 PM

**To:** Kornylak, Vera S. <Kornylak.Vera@epa.gov>

**Cc:** Wood, Anna <Wood.Anna@epa.gov>; Johnson, Yvonne W <Johnson.Yvonnew@epa.gov>;

Brachtl, Megan <Brachtl.Megan@epa.gov>

**Subject:** Re: SIP/FIP final info

Thanks

Sent from my iPhone

On Jan 23, 2018, at 3:40 PM, Kornylak, Vera S. <Kornylak.Vera@epa.gov> wrote:

OK, working on it and should have something tomorrow.

Vera Kornylak || Senior Policy Advisor

Air Quality Policy Division || OAQPS

919-541-4067 || [kornylak.vera@epa.gov](mailto:kornylak.vera@epa.gov)

*This message, including attachments, contains information that may be deliberative and confidential, and may be protected by attorney work-product, attorney-client or other applicable privileges. Further, this message, including attachments, may be exempt from disclosure by the U.S. EPA under applicable law. This message, including attachments, is intended to be conveyed only to the named recipient(s). If you received this message in error, or if you are not the intended recipient, please notify the sender listed above and delete the message from your system immediately. The unauthorized use, dissemination, distribution or reproduction of this message, including attachments, by unintended recipients is prohibited and may be unlawful.*

**From:** Koerber, Mike

**Sent:** Tuesday, January 23, 2018 12:20 PM

**To:** Kornylak, Vera S. <Kornylak.Vera@epa.gov>

**Cc:** Wood, Anna <Wood.Anna@epa.gov>; Johnson, Yvonne W

<Johnson.Yvonnew@epa.gov>; Brachtl, Megan <Brachtl.Megan@epa.gov>

**Subject:** RE: SIP/FIP final info

Thanks, Vera. We need “FIPs turned to SIPs” since 10/18, which we can add to your prior number of 8. Having this info in the next day or so would be great.

Mike

**From:** Kornylak, Vera S.

**Sent:** Tuesday, January 23, 2018 12:06 PM

**To:** Koerber, Mike <[Koerber.Mike@epa.gov](mailto:Koerber.Mike@epa.gov)>

**Cc:** Wood, Anna <[Wood.Anna@epa.gov](mailto:Wood.Anna@epa.gov)>; Johnson, Yvonne W  
<[Johnson.Yvonnew@epa.gov](mailto:Johnson.Yvonnew@epa.gov)>; Brachtel, Megan <[Brachtel.Megan@epa.gov](mailto:Brachtel.Megan@epa.gov)>

**Subject:** RE: SIP/FIP final info

Hi Mike, so this was something we did by hand through FR research. We can redo the work – when would be the latest you need it by? Sounds like we are just looking for SIPs turned to FIPs (including partial actions) since 10/18/17. Is that right?

Vera

Vera Kornylak || Senior Policy Advisor

Air Quality Policy Division || OAQPS

919-541-4067 || [kornylak.vera@epa.gov](mailto:kornylak.vera@epa.gov)

*This message, including attachments, contains information that may be deliberative and confidential, and may be protected by attorney work-product, attorney-client or other applicable privileges. Further, this message, including attachments, may be exempt from disclosure by the U.S. EPA under applicable law. This message, including attachments, is intended to be conveyed only to the named recipient(s). If you received this message in error, or if you are not the intended recipient, please notify the sender listed above and delete the message from your system immediately. The unauthorized use, dissemination, distribution or reproduction of this message, including attachments, by unintended recipients is prohibited and may be unlawful.*

**From:** Koerber, Mike  
**Sent:** Tuesday, January 23, 2018 11:19 AM  
**To:** Kornylak, Vera S. <[Kornylak.Vera@epa.gov](mailto:Kornylak.Vera@epa.gov)>  
**Cc:** Wood, Anna <[Wood.Anna@epa.gov](mailto:Wood.Anna@epa.gov)>; Johnson, Yvonne W <[Johnson.Yvonnew@epa.gov](mailto:Johnson.Yvonnew@epa.gov)>; Senter, Stephen <[Senter.Stephen@epa.gov](mailto:Senter.Stephen@epa.gov)>  
**Subject:** RE: SIP/FIP final info

Help! We need a refresh on this. Clint asked about the number of FIPs replaced by SIPs since the beginning of the Administration. Your prior work had a start date of 3/1/17 (not 1/20/17), but I think it is close enough – not much happened in Feb 2017, if I recall. So, this only needs to include actions after your prior end date (10/18/17?). Let me know if this will take long to provide – he’s anxious to include something in the AR RH press release about SIPs replacing FIPs.

Mike

**From:** Kornylak, Vera S.  
**Sent:** Thursday, October 19, 2017 1:22 PM  
**To:** Koerber, Mike <[Koerber.Mike@epa.gov](mailto:Koerber.Mike@epa.gov)>  
**Cc:** Wood, Anna <[Wood.Anna@epa.gov](mailto:Wood.Anna@epa.gov)>; Johnson, Yvonne W <[Johnson.Yvonnew@epa.gov](mailto:Johnson.Yvonnew@epa.gov)>; Senter, Stephen <[Senter.Stephen@epa.gov](mailto:Senter.Stephen@epa.gov)>  
**Subject:** RE: SIP/FIP final info

Hi Mike; R9 sent some minor edits to Attachment 2, which are included here. Just two minor clarifications but if Josh can, he should use this version.

Vera

Vera Kornylak || Senior Policy Advisor

Air Quality Policy Division || OAQPS



*This message, including attachments, contains information that may be deliberative and confidential, and may be protected by attorney work-product, attorney-client or other applicable privileges. Further, this message, including attachments, may be exempt from disclosure by the U.S. EPA under applicable law. This message, including attachments, is intended to be conveyed only to the named recipient(s). If you received this message in error, or if you are not the intended recipient, please notify the sender listed above and delete the message from your system immediately. The unauthorized use, dissemination, distribution or reproduction of this message, including attachments, by unintended recipients is prohibited and may be unlawful.*

**From:** Koerber, Mike

**Sent:** Thursday, October 19, 2017 1:10 PM

**To:** Kornylak, Vera S. <[Kornylak.Vera@epa.gov](mailto:Kornylak.Vera@epa.gov)>

**Cc:** Wood, Anna <[Wood.Anna@epa.gov](mailto:Wood.Anna@epa.gov)>; Johnson, Yvonne W <[Johnson.Yvonnew@epa.gov](mailto:Johnson.Yvonnew@epa.gov)>; Senter, Stephen <[Senter.Stephen@epa.gov](mailto:Senter.Stephen@epa.gov)>

**Subject:** Re: SIP/FIP final info

Super! Thanks for the work on this. In my mock-up for Josh, I added the # of states and pollutants. That information didn't seem all that helpful, but I'll defer to Josh. I'll contact him and let you know what he says. Thanks again!

Sent from my iPhone

On Oct 19, 2017, at 12:53 PM, Kornylak, Vera S. <[Kornylak.Vera@epa.gov](mailto:Kornylak.Vera@epa.gov)> wrote:

Mike: attached is the high level roll up I just sent you and the excel spreadsheet Stephen prepared with the SIP Actions broken down. We didn't break down SIP Submittals- it could be done but doesn't seem like they are after that data at this time and we felt the one excel spreadsheet was a lot of information.

Stephen will be here all day if edits are necessary or you have specific questions about the excel document.

Should I send this to Josh and/or give him a call before I leave just to make sure there's nothing else he's looking for before I'm out of the day?

I'll be watching email so I can communicate with Stephen and/or provide info to Josh if he has questions.

Vera

Vera Kornylak || Senior Policy Advisor

Air Quality Policy Division || OAQPS

919-541-4067 || [kornylak.vera@epa.gov](mailto:kornylak.vera@epa.gov)

*This message, including attachments, contains information that may be deliberative and confidential, and may be protected by attorney work-product, attorney-client or other applicable privileges. Further, this message, including attachments, may be exempt from disclosure by the U.S. EPA under applicable law. This message, including attachments, is intended to be conveyed only to the named recipient(s). If you received this message in error, or if you are not the intended recipient, please notify the sender listed above and delete the message from your system immediately. The unauthorized use, dissemination, distribution or reproduction of this message, including attachments, by unintended recipients is prohibited and may be unlawful.*

<Agency Actions Since 3 1 17 with state and pollutant.xlsx>

<SIP and FIP Actions Since March 1 High Level Roll Up.docx>

Compiled by AQPD; Updated Jan. 24, 2018

**Federal Implementation Plan-Related Actions since 1/1/2016**

	<b>FY of Final Action</b>	<b>FR publication dates</b>	<b>Affected State/Source</b>	<b>CAA Program</b>	<b>Description of Final Action</b>
<b>Finalized FIP Actions</b>					
1	2016	<i>Proposal</i> – Jan. 13, 2015 <i>Final</i> – Jan 5, 2016	Texas – Multiple Power Plants	Regional Haze - Reasonable Progress	<b>New</b> FIP (since stayed and remanded by the 5 <sup>th</sup> Circuit)
2	2016	<i>Proposal</i> – Oct. 27, 2015 <i>Final</i> – March 7, 2016	Minnesota – Sherco Power Plant	Regional Haze - RAVI	<b>New</b> FIP, to implement outside parties' settlement agreement related to RAVI certification
3	2016	<i>Proposal</i> – Oct. 22, 2015 <i>Final</i> – April 12, 2016	Michigan – Taconite plants	Regional Haze - BART	<b>Revised</b> FIP, upon source-requested reconsideration of 2013 FIP
4	2016	<i>Proposal</i> – Oct. 22, 2015 <i>Final</i> – April 12, 2016	Minnesota – Taconite Plants	Regional Haze - BART	<b>Revised</b> FIP, upon source-requested reconsideration of 2013 FIP
5	2016	<i>Proposal</i> – Mar. 31, 2015 <i>Final</i> – April 13, 2016	Arizona – Coronado and Cholla Power Plants	Regional Haze - BART	<b>Revised</b> FIP provisions for Coronado, upon source-requested reconsideration of 2013 FIP; removal of affirmative defense for malfunctions for both sources
6	2016	<i>Proposal</i> – Sept. 18, 2015 <i>Final</i> – June 3, 2016	Minor sources in Indian country	New Source Review – Minor sources	<b>New</b> minor source permitting rule for oil and gas in Indian country
7	2016	<i>Proposal</i> – Jan. 14, 2016 <i>Final</i> – July 5, 2016	Utah – Hunter and Huntington Power Plant	Regional Haze - BART	<b>New</b> BART FIP
8	2016	<i>Final</i> – Aug. 31, 2016	Alabama	Replacing CSAPR FIP with SIP	<b>Replacement</b> of FIP with SIP
9	2016	<i>Proposal</i> – Nov. 16, 2015 <i>Final</i> – Sept 7, 2016	22 states – All Power Plants in each state	Interstate transport for ozone NAAQS – Cross State Air Pollution Rule (CSAPR)	<b>Revised</b> CSAPR FIP for 22 states <sup>1</sup> <b>Withdrawal</b> of CSAPR FIP for Florida

<sup>1</sup> Originally, 23 states were subject to the 2011 CSAPR FIP. Some of these states subsequently adopted equivalent SIP provisions and the 2011 CSAPR FIP ceased to apply to them, without any new EPA action to modify the FIP. In this 2016 CSAPR Update, Florida was removed from the CSAPR FIP. The remaining 22 states became subject to the updated CSAPR FIP even if they had previously been automatically removed from the 2011 FIP. If/when these states adopt new SIP provisions equivalent to the 2016 CSAPR FIP, that FIP will automatically cease to apply to them.

10	2016	<i>Proposal</i> – Apr. 8, 2015 <i>Final</i> – Sept 27, 2016	Arkansas – Multiple sources	Regional Haze – BART and Reasonable Progress	<b>New FIP</b>
11	2017	<i>Proposal</i> – June 30, 2016 <i>Final</i> – Nov 21, 2016	Arizona – Clarkdale and Rillito cement kilns	Regional Haze – Reasonable Progress	<b>Revised</b> FIP to substitute enhanced reporting for previous requirement for a technology demonstration, upon source-requested reconsideration
12	2017	<i>Proposal</i> – Sept. 23, 2016 <i>Final</i> – Mar. 10, 2017	California – Ventura County Air Quality Management District	New Source Review – PSD for all pollutants	<b>Withdrawal</b> of FIP, upon SIP approval
13	2017	<i>Proposal</i> – Dec. 22, 2016 <i>Final</i> – Mar. 22, 2017	California – N. Coast Unified Air Quality Management District	New Source Review – PSD for PM <sub>2.5</sub>	<b>New FIP</b>
14	2017	<i>Proposal</i> – July 19, 2016 <i>Final</i> – Mar. 27, 2017	AZ – Cholla Power Plant	Regional haze BART	<b>Withdrawal</b> of FIP, upon SIP approval
15	2017	<i>Proposal</i> – Jan. 19, 2017 <i>Final</i> – Apr. 10, 2017	Washington – Areas subject to authority of local clean air agencies	New Source Review - PSD	<b>Revision</b> of the Washington NSR FIP as applicable to these areas to narrow the sources and pollutants to which the FIP is applicable, upon approval of new SIP provisions
16	2017	<i>Proposal</i> – Mar. 22, 2017 <i>Final</i> – May 30, 2017	Washington – Areas subject to authority of Washington DOE	New Source Review - PSD	<b>Revision</b> of the Washington NSR FIP as applicable to these areas to narrow the sources and pollutants to which the FIP is applicable, upon approval of new SIP provisions

17	2017	<i>Proposal</i> – Apr. 14, 2017 <i>Final</i> – Sept. 12, 2017	Montana – Trident-Oldcastle cement kiln, Blaine County #1 Compressor Station	Regional Haze - BART	<b>Revised</b> FIP for Trident-Oldcastle, upon source-requested reconsideration  <b>Withdrawal</b> of FIP for Blaine County #1 Compressor Station, to correct error in having earlier promulgated a FIP based on an incorrect fact
18	2017	<i>Proposal</i> – Nov. 10, 2016 <i>Final</i> – Sept. 29, 2017	Texas – CSAPR	Interstate transport for PM <sub>2.5</sub> NAAQS	<b>Withdrawal</b> of 2016 CSAPR FIP for SO <sub>2</sub> and annual NO <sub>x</sub> for Texas, due to remand. Ozone-season NO <sub>x</sub> FIP remains in place
19	2018	<i>Proposal</i> – Apr. 27, 2017 <i>Final</i> – Oct. 10, 2017	Arizona – Coronado Power Plant	Regional Haze - BART	<b>Withdrawal</b> of FIP, due to SIP approval
20	2018	<i>Final</i> – Oct. 13, 2017	Georgia	CSAPR FIP replaced with SIP	<b>Replacement</b> of FIP with SIP
21	2018	<i>Final</i> – Oct. 13, 2017	South Carolina	CSAPR FIP replaced with SIP	<b>Replacement</b> of FIP with SIP
22	2018	<i>Proposal</i> – Jan. 4, 2017 <i>Final</i> – Oct. 17, 2017	Texas – Multiple Power Plants	Regional Haze - BART	<b>New FIP</b>
23	2018	<i>Proposal</i> – June 22, 2017 <i>Final</i> – Oct. 20, 2017	Nevada – Mohave Power Plant	Regional Haze - RAVI	<b>Withdrawal</b> of FIP, due to state-required shutdown and demolition of the source
24	2018	<i>Proposal</i> – May 10, 2017 <i>Final</i> – Dec. 4, 2017	New York – Danskammer Power Plant	Regional Haze – BART	<b>Revised</b> the FIP to remove this source, due to SIP approval
25	<b>Proposed FIP Actions Not Yet Finalized</b>				
		<i>Proposal</i> – Dec. 2, 2016	Tribal – Four Corners Power Plant	Regional Haze	<b>Proposed revision</b> of FIP to incorporate 2015 consent decree requirements, align with 2016 SSM Policy, and facilitate Title V permit renewal

26		<i>Proposal – July 13, 2017</i>	Arkansas – White Bluff, Flint Creek, and Independence Power Plants	Regional Haze – BART and Reasonable Progress	<b>Proposed revision</b> of FIP to extend compliance dates for NO <sub>x</sub> BART and reasonable progress emission limits, upon source-requested reconsideration
27		<i>Proposal – Sept. 11, 2017</i>	Arkansas – White Bluff, Flint Creek, and Independence Power Plants	Regional Haze – BART and Reasonable Progress	<b>Proposed withdrawal</b> of FIP of NO <sub>x</sub> BART and reasonable progress emission limits, due to proposed SIP approval
28		<i>Proposal – Oct. 23, 2017</i>	New York – Roseton Generating Station Units 1 & 2	Regional Haze – BART	<b>Proposed withdrawal</b> of FIP for SO <sub>2</sub> BART, due to proposed SIP approval

**To:** Koerber, Mike[Koerber.Mike@epa.gov]; Wood, Anna[Wood.Anna@epa.gov]  
**Cc:** Beaver, Melinda[Beaver.Melinda@epa.gov]; Keas, Ashley[keas.ashley@epa.gov]  
**From:** Kornylak, Vera S.  
**Sent:** Fri 3/10/2017 7:23:34 PM  
**Subject:** FW: latest version of RH pager  
[guidance impaired Deciview Diff 2000 2004 to 2011 2015.png](#)  
[guidance impaired Deciviews 2000 2004.png](#)  
[guidance impaired Deciviews 2011 2015.png](#)  
[guidance impaired deviation Yellowstone Yosemite GrandCanyon Shenandoah thru2015.png](#)  
[RH overview schnare request draft 3 10 17.docx](#)

Hi Mike: here's the paper along with the charts you requested from Brett. For the paper, we've cut/pasted in your text box and deleted the examples (they could be an appendix if you think they are useful). I think we'd like to chat more with you about the text box, but we'll be on this El Paso call until 3:30. This paper also includes feedback from OGC. I've also forwarded the notes from Melinda below.

**FROM MELINDA:**

## Ex. 5 - Deliberative Process

Thanks,

Vera

**To:** Harnett, Bill[Harnett.Bill@epa.gov]; Koerber, Mike[Koerber.Mike@epa.gov]; OAQPS WOPS[OAQPS\_WOPS@epa.gov]; OAR Briefings[OAR\_Briefings@epa.gov]  
**Cc:** Tsirigotis, Peter[Tsirigotis.Peter@epa.gov]; Koerber, Mike[Koerber.Mike@epa.gov]; Harnett, Bill[Harnett.Bill@epa.gov]; Wood, Anna[Wood.Anna@epa.gov]; Kornylak, Vera S.[Kornylak.Vera@epa.gov]; Jones, Rhea[Jones.Rhea@epa.gov]; Johnson, Yvonne W[Johnson.Yvonnew@epa.gov]; Long, Pam[Long.Pam@epa.gov]  
**From:** South, Peter  
**Sent:** Wed 1/10/2018 8:42:21 PM  
**Subject:** Regional Haze: Ongoing Work from 1st Planning Session: Materials in prep for tomorrow's meeting  
[Regional Haze FIP Table 1 11 18.docx](#)

I have attached the briefing materials in prep for tomorrow's Regional Haze meeting with Bill W.

Please call me or Mike Koerber with any questions relating to this information.

Thank you.

Pete South




OAR/OAQPS/IO

U.S. EPA

office: 919 541-5359

cell: 919 599-7213



	To...	<a href="#">Gunasekara, Mandy</a> ; <a href="#">Harlow, David</a> ; <a href="#">Woods, Clint</a> ; <a href="#">Lewis, Josh</a> ; <a href="#">Tsirigotis, Peter</a> ; <a href="#">Koerber, Mike</a> ; <a href="#">H Srinivasan, Gautam</a> ; <a href="#">Zenick, Elliott</a> ; <a href="#">Anderson, Lea</a> ; <a href="#">Greenglass, Nora</a> ; <a href="#">Marks, Matthew</a> ; <a href="#">Hammad,</a>	
	Subject	Regional Haze: Ongoing Work from First Planning Period	
	Location	WJC-N 5400 + Video with OAQPS + 1 866-299-3188; Participant Code:	Ex. 6 - Personal Privacy
	Start time	Thu 1/11/2018  4:00 PM ▼	<input type="checkbox"/> All day event
	End time	Thu 1/11/2018  5:00 PM ▼	

**To:** Wehrum, Bill; Mandy Gunasekara ([Gunasekara.Mandy@epa.gov](mailto:Gunasekara.Mandy@epa.gov)); Harlow, David; Woods, C Wood, Anna; Kornylak, Vera S.; Jones, Rhea; Beaver, Melinda; Gautam Srinivasan; Zenick, Elliot Omar; Ruvo, Richard; Morales, Monica; Jackson, Scott; Dobrahner, Jaslyn

**Cc:** Johnson, Yvonne W; Long, Pam



Reg Haze\_first  
planning period...